THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET

FEDERAL REGISTER

OF THE UNITED STATES 1934

VOLUME 12 NUMBER 144

Washington, Thursday, July 24, 1947

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

Subchapter A—Administrative Provisions

[Farm Credit Administration Order 455]

PART 3—FUNCTIONS OF ADMINISTRATIVE OFFICERS

AUTHORIZATION TO APPROVE ACTS OF RECEIVERS OF JOINT STOCK LAND BANKS

Section 3.4 of Chapter I, Title 6, Code of Federal Regulations is amended to read as follows:

§ 3.4 *Authorization to approve acts of receivers of joint stock land banks.* Authorization is given, severally and not jointly, to the Land Bank Commissioner, any deputy land bank commissioner, any assistant deputy land bank commissioner, and the Chief, Fiscal and Joint Stock Land Bank Section, to approve, on such terms as he shall direct, the acts pursuant to section 29 of the Federal Farm Loan Act (39 Stat. 381; 12 U. S. C. 961–967), as amended, of any receiver of any joint stock land bank appointed under the provisions of said section 29. (Secs. 7.17a, 39 Stat. 365, 375, secs. 39, 40, 80, 80 (a), 80 (b), 48 Stat. 50, 51, 273, 1221, sec. 5, 50 Stat. 6, 58 Stat. 836; 12 U. S. C. 636–638 (b), 719, 831 (a), 1020m, 177b, 12 U. S. C. Sup. 1150–1150c; E. O. 6084, Mar. 27, 1933, 6 F. R. 1.1 (m); sec. Memo. 846, Jan. 6, 1940.)

[SEAL] I. W. DUGGAN, *Governor.*

JULY 9, 1947.

[F. R. Doc. 47-6943; Filed, July 23, 1947; 8:51 a. m.]

PART 11—NATIONAL FARM LOAN ASSOCIATION

PARTICIPATION CERTIFICATES

Chapter I, Title 6, Code of Federal Regulations, is hereby amended by changing "§ 11.1017 *Participation certificates*" (12 F. R. 2713) to read "§ 11.2041."

NOTE: § 11.2041 corresponds with section S41 in the Conservatorship Supplement to Operations Manual for Federal Land Banks, issued as of January 1, 1943.

[SEAL] J. R. ISLEIB, *Land Bank Commissioner.*

[F. R. Doc. 47-6944; Filed, July 23, 1947; 8:51 a. m.]

PART 22—THE FEDERAL LAND BANK OF BALTIMORE

FEES

1. Section 22.1 of Title 6, Code of Federal Regulations is revoked.

2. Section 22.2 of said title is amended by striking out all of the section and substituting in lieu thereof the following:

§ 22.2 *New loan fees.* The following new loan fees shall be charged and collected from applicants and borrowers through the Puerto Rico Branch Bank of The Federal Land Bank of Baltimore:

Each application for a new loan shall be accompanied by an initial deposit of $15.00 to cover the cost of examination of title. If the application results in a Federal land bank loan in excess of $1,200.00 there shall be deducted from the proceeds of the loan an additional fee equal to one and one-quarter percent of each $100.00 or fraction thereof in excess of $1,200.00.

Each application for an increased or additional loan, whether or not additional security is offered, shall be accompanied by an initial deposit of $15.00 to cover the cost of examination of title. If a land bank loan in an increased amount is closed, there shall be deducted from the proceeds of such increased loan a fee comparable to the fee which would be collectible in connection with a new land bank loan; *Provided, however,* That the amount of the fee shall be computed only up the basis of the amount of new land bank money loaned to the borrower.

3. Sections 22.3, 22.4, 22.5 are revoked.

(Sec. 13 "Ninth", 39 Stat. 372; 12 U. S. C. 781 "Ninth")

FEDERAL LAND BANK OF BALTIMORE,

[SEAL] E. W. MCSPARRAN, *Treasurer.*

[F. R. Doc. 47-6969; Filed, July 23, 1947; 8:50 a. m.]

Chapter II—Production and Marketing Administration (Commodity Credit)

[1947 C. C. C. Flaxseed Bulletin 1, Supp. 2]

PART 271—FLAXSEED LOANS AND PURCHASE AGREEMENTS

BASIC COUNTY LOAN RATES FOR NO. 1 FLAXSEED

Pursuant to the provisions of Article Third, paragraphs (b) and (j) of the

(Continued on next page)

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Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.

CODIFICATION GUIDE—Con.

[1] See P. L. O. 382.

Corporate Charter of Commodity Credit Corporation; sec. 7 (a), 49 Stat. 4 as amended, sec. 4 (a), 55 Stat. 498, 56 Stat. 768; 15 U. S. C., Sup., 713 (a), 713a–8, 50 U. S. C. App., Sup., 969, Commodity Credit Corporation and the Production and Marketing Administration have issued, in 1947 Flaxseed Bulletin 1 and Supplement 1 thereto (12 F. R. 4747, 4779), regulations governing the making of loans and purchase agreements on flaxseed produced in 1947, and lists the rates applicable to flaxseed in eligible warehouse storage at designated terminal markets. Such regulations are hereby further supplemented as follows:

§ 271.127 *Basic county loan rates for No. 1 Flaxseed.* The 1947 basic county loan rates listed herein are determined in accordance with the provisions of § 271.126 (b) (1947 CCC Flaxseed Bulletin 1, Supplement 1):

CALIFORNIA

County	No. 1 Flaxseed	County	No. 1 Flaxseed
Alameda	$5.13	Riverside	$5.09
Butte	5.06	Sacramento	5.09
Calaveras	5.09	San Bernardino	5.10
Colusa	5.08	San Joaquin	5.11
Contra Costa	5.14	Santa Clara	5.12
Fresno	5.07	Solano	5.12
Glenn	5.06	Sonoma	5.11
Imperial	5.06	Stanislaus	5.10
Inyo	4.98	Sutter	5.08
Kern	5.07	Tehama	5.05
Kings	5.07	Tulare	5.07
Madera	5.09	Yolo	5.10
Merced	5.10	Yuba	5.07
Placer	5.08		

IDAHO

Banner	$4.71	Idaho	$4.72
Boundary	4.70	Jefferson	4.80
Camas	4.80	Latah	4.73
Clearwater	4.73	Nez Perce	4.73

ILLINOIS

Adams	$4.81	Edgar	$4.79
Boone	4.84	Ford	4.83
Bureau	4.83	Fulton	4.82
Carroll	4.82	Grundy	4.85
Champaign	4.83	Hancock	4.81
Cook	4.86	Henderson	4.81
De Kalb	4.85	Henry	4.82
De Witt	4.83	Livingston	4.83
Douglas	4.83	Logan	4.83
Du Page	4.86	McDonough	4.82

Illinois—Continued

County	No. 1 Flaxseed
McHenry	$4.84
McLean	4.83
Macon	4.83
Marshall-Putnam	4.83
Mason	4.83
Mercer	4.82
Ogle	4.83
Peoria	4.83
Piatt	4.83
Pike	4.81
Rock Island	4.82
Stark	4.83
Iroquois	4.83
Jo Daviess	4.82
Kane	$4.85
Kankakee	4.85
Kendall	4.85
Knox	4.82
Lake	4.87
La Salle	4.83
Lee	4.83
Stephenson	4.82
Tazewell	4.83
Vermillion	4.83
Warren	4.82
Whiteside	4.82
Will	4.86
Winnebago	4.83
Woodford	4.83

Indiana

County	No. 1 Flaxseed
Benton	$4.81
Delaware	4.79
Fountain	4.79
Grant	4.79
Howard	$4.79
Montgomery	4.79
Randolph	4.78
Wayne	4.78

Iowa

County	No. 1 Flaxseed
Adair	$4.75
Adams	4.75
Allamakee	4.78
Appanoose	4.77
Audubon	4.74
Benton	4.79
Black Hawk	4.80
Boone	4.79
Bremer	4.80
Buchanan	4.79
Buena Vista	4.80
Butler	4.80
Calhoun	4.80
Carroll	4.75
Cass	4.74
Cedar	4.80
Cerro Gordo	4.81
Cherokee	4.79
Chickasaw	4.81
Clarke	4.76
Clay	4.80
Clayton	4.79
Clinton	4.81
Crawford	4.74
Dallas	4.76
Davis	4.79
Decatur	4.76
Delaware	4.79
Des Moines	4.80
Dickinson	4.81
Dubuque	4.80
Emmet	4.82
Fayette	4.80
Floyd	4.81
Franklin	4.80
Fremont	4.74
Greene	4.79
Grundy	4.80
Guthrie	4.76
Hamilton	4.80
Hancock	4.81
Hardin	4.80
Harrison	4.74
Henry	4.80
Howard	4.81
Humboldt	4.80
Ida	4.78
Iowa	4.79
Jackson	4.81
Jasper	4.78
Jefferson	$4.79
Johnson	4.80
Jones	4.80
Keokuk	4.78
Kossuth	4.81
Lee	4.80
Linn	4.80
Louisa	4.80
Lucas	4.77
Lyon	4.79
Madison	4.76
Mahaska	4.78
Marion	4.78
Marshall	4.78
Mills	4.74
Mitchell	4.81
Monona	4.74
Monroe	4.78
Montgomery	4.74
Muscatine	4.81
O'Brien	4.80
Osceola	4.80
Page	4.74
Palo Alto	4.81
Plymouth	4.79
Pocahontas	4.80
Polk	4.77
Pottawattamie	4.74
Poweshiek	4.78
Ringgold	4.75
Sac	4.79
Scott	4.81
Shelby	4.74
Sioux	4.79
Story	4.79
Tama	4.79
Taylor	4.75
Union	4.76
Van Buren	4.79
Wapello	4.78
Warren	4.78
Washington	4.79
Wayne	4.77
Webster	4.80
Winnebago	4.82
Winneshiek	4.81
Woodbury	4.79
Worth	4.82
Wright	4.80

Kansas

County	No. 1 Flaxseed
Allen	$4.68
Anderson	4.67
Atchison	4.61
Bourbon	4.65
Brown	4.61
Butler	4.66
Chase	4.65
Chautauqua	4.67
Cherokee	4.66
Clay	4.62
Cloud	4.61
Coffey	4.67
Cowley	4.66
Crawford	$4.67
Dickinson	4.64
Doniphan	4.61
Douglas	4.63
Elk	4.69
Ellsworth	4.62
Franklin	4.65
Geary	4.64
Greenwood	4.68
Harper	4.63
Harvey	4.63
Jackson	4.63
Jefferson	4.64

Kansas—Continued

County	No. 1 Flaxseed
Johnson	$4.63
Kingman	4.63
Labette	4.67
Leavenworth	4.63
Lincoln	4.62
Linn	4.63
Lyon	4.66
McPherson	4.64
Marion	4.64
Marshall	4.61
Miami	4.63
Montgomery	4.70
Morris	4.65
Nemaha	4.60
Neosho	4.69
Osage	4.63
Ottawa	$4.62
Pottawattomie	4.62
Reno	4.65
Republic	4.61
Rice	4.63
Riley	4.62
Saline	4.63
Sedgwick	4.65
Shawnee	4.63
Sumner	4.65
Wabaunsee	4.63
Washington	4.61
Wilson	4.70
Woodson	4.69
Wyandotte	4.64

Michigan

County	No. 1 Flaxseed
Chippewa	$4.72
Jackson	4.78
Mackinac	4.72
Montcalm	$4.77
St. Clair	4.75
Tuscola	4.75

Minnesota

County	No. 1 Flaxseed
Aitkin	$4.84
Anoka	4.86
Becker	4.80
Beltrami	4.81
Benton	4.83
Big Stone	4.80
Blue Earth	4.83
Brown	4.83
Carlton	4.85
Carver	4.85
Cass	4.82
Chippewa	4.82
Chisago	4.85
Clay	4.79
Clearwater	4.80
Cottonwood	4.82
Crow Wing	4.82
Dakota	4.86
Dodge	4.83
Douglas	4.81
Faribault	4.82
Fillmore	4.81
Freeborn	4.83
Goodhue	4.84
Grant	4.81
Hennepin	4.86
Houston	4.81
Hubbard	4.80
Isanti	4.84
Itasca	4.83
Jackson	4.81
Kanabec	4.83
Kandiyohi	4.83
Kittson	4.76
Koochiching	4.77
Lac qui Parle	4.80
Lake	4.85
Lake of the Woods	4.78
Le Sueur	4.84
Lincoln	4.80
Lyon	4.81
McLeod	4.84
Mahnomen	4.79
Marshall	$4.77
Martin	4.82
Meeker	4.84
Mille Lacs	4.83
Morrison	4.82
Mower	4.82
Murray	4.80
Nicollet	4.84
Nobles	4.80
Norman	4.78
Olmsted	4.83
Otter Tail	4.81
Pennington	4.78
Pine	4.84
Pipestone	4.80
Polk	4.78
Pope	4.82
Red Lake	4.78
Redwood	4.82
Renville	4.82
Rice	4.84
Rock	4.80
Roseau	4.77
Saint Louis	4.83
Scott	4.86
Sherburne	4.84
Sibley	4.84
Stearns	4.83
Steele	4.83
Stevens	4.81
Swift	4.82
Todd	4.82
Traverse	4.80
Wabasha	4.83
Wadena	4.81
Waseca	4.83
Washington	4.86
Watonwan	4.82
Wilkin	4.80
Winona	4.83
Wright	4.85
Yellow Medicine	4.81

Missouri

County	No. 1 Flaxseed
Barton	$4.70
Bates	4.72
Benton	4.73
Caldwell	4.75
Cass	4.72
Clinton	4.74
Henry	4.72
Jasper	$4.70
Johnson	4.74
Lawrence	4.71
Pettis	4.74
St. Clair	4.71
Vernon	4.71
Worth	4.74

Montana

County	No. 1 Flaxseed
Beaverhead	$4.55
Big Horn	4.55
Blaine	4.61
Broadwater	4.61
Carbon	4.57
Carter	4.67
Cascade	4.61
Chouteau	4.61
Custer	4.65
Daniels	4.64
Dawson	$4.67
Deer Lodge	4.61
Fallon	4.67
Fergus	4.61
Flathead	4.63
Gallatin	4.61
Garfield	4.63
Glacier	4.62
Golden Valley	4.61
Granite	4.62

Montana—Continued

County	No. 1 Flaxseed
Hill	$4.61
Jefferson	4.61
Judith Basin	4.61
Lake	4.64
Lewis & Clark	4.61
Liberty	4.61
Lincoln	4.65
McCone	4.63
Madison	4.61
Meagher	4.61
Mineral	4.65
Missoula	4.63
Musselshell	4.61
Park	4.61
Petroleum	4.61
Phillips	4.62
Pondera	4.60
Powder River	4.66
Powell	$4.62
Prairie	4.66
Ravalli	4.62
Richland	4.67
Roosevelt	4.68
Rosebud	4.63
Sanders	4.65
Sheridan	4.63
Silver Bow	4.59
Stillwater	4.61
Sweet Grass	4.61
Teton	4.61
Toole	4.61
Treasure	4.63
Valley	4.61
Wheatland	4.61
Wiboux	4.63
Yellowstone	4.60

Nebraska

County	No. 1 Flaxseed
Antelope	$4.75
Burt	4.77
Cedar	4.77
Cuming	4.76
Dakota	4.78
Dawas	4.66
Dixon	4.78
Douglas	4.77
Knox	4.74
Madison	$4.75
Pierce	4.75
Sarpy	4.77
Sheridan	4.67
Sioux	4.65
Stanton	4.76
Thurston	4.78
Washington	4.77
Wayne	4.77

North Dakota

County	No. 1 Flaxseed
Adams	$4.71
Barnes	4.77
Benson	4.75
Billings	4.71
Bottineau	4.72
Bowan	4.70
Burke	4.71
Burleigh	4.75
Cass	4.78
Cavalier	4.75
Dickey	4.77
Divide	4.70
Dunn	4.71
Eddy	4.76
Emmons	4.74
Foster	4.76
Golden Valley	4.69
Grand Forks	4.77
Grant	4.71
Griggs	4.77
Hettinger	4.71
Kidder	4.75
La Moure	4.76
Logan	4.75
McHenry	4.73
McIntosh	4.75
McKenzie	4.69
McLean	$4.73
Mercer	4.71
Morton	4.72
Mountrail	4.71
Nelson	4.76
Oliver	4.73
Pembina	4.76
Pierce	4.74
Ramsey	4.75
Ransom	4.78
Renville	4.71
Richland	4.79
Rolette	4.74
Sargent	4.78
Sheridan	4.74
Sioux	4.72
Slope	4.69
Stark	4.71
Steele	4.77
Stutsman	4.77
Towner	4.74
Traill	4.77
Walsh	4.76
Ward	4.72
Wells	4.75
Williams	4.70

Ohio

County	No. 1 Flaxseed
Allan	$4.78
Auglaize	4.78
Darke	4.78
Huron	4.76
Lorain	4.75
Lucas	4.77
Medina	4.75
Mercer	$4.78
Morrow	4.75
Putnam	4.78
Seneca	4.76
Shelby	4.77
Van Wert	4.78

Oklahoma

County	No. 1 Flaxseed
Alfalfa	$4.62
Blaine	4.59
Caddo	4.58
Canadian	4.59
Comanche	4.57
Cotton	4.56
Craig	4.65
Delaware	4.64
Dewey	4.58
Garfield	4.62
Grady	4.58
Grant	4.63
Greer	4.56
Harmon	4.55
Jackson	4.56
Kay	4.64
Kingfisher	4.60
Kiowa	$4.57
Major	4.60
Mayes	4.64
Murray	4.57
Noble	4.63
Nowata	4.66
Osage	4.64
Ottawa	4.64
Pawnee	4.63
Payne	4.62
Rogers	4.65
Tillman	4.55
Tulsa	4.64
Wagoner	4.64
Washington	4.65
Washita	4.58

SOUTH DAKOTA

County	No. 1 Flaxseed	County	No. 1 Flaxseed
Armstrong	$4.72	Jackson	$4.70
Aurora	4.75	Jerauld	4.77
Beadle	4.78	Jones	4.71
Bennett	4.68	Kingsbury	4.79
Bon Homme	4.76	Lake	4.79
Brookings	4.79	Lawrence	4.65
Brown	4.77	Lincoln	4.79
Brule	4.74	Lyman	4.72
Buffalo	4.79	McCook	4.79
Butte	4.67	McPherson	4.76
Campbell	4.75	Marshall	4.78
Charles Mix	4.74	Meade	4.69
Clark	4.79	Mellette	4.70
Clay	4.79	Miner	4.79
Codington	4.79	Minnehaha	4.79
Corson	4.73	Moody	4.79
Custer	4.64	Pennington	4.66
Davison	4.77	Perkins	4.71
Day	4.78	Potter	4.75
Deuel	4.80	Roberts	4.79
Dewey	4.72	Sanborn	4.77
Douglas	4.75	Shannon	4.68
Edmunds	4.76	Spink	4.78
Fall River	4.62	Stanley	4.74
Faulk	4.77	Sully	4.74
Grant	4.80	Todd	4.70
Gregory	4.73	Tripp	4.70
Haakon	4.71	Turner	4.78
Hamlin	4.79	Union	4.79
Hand	4.77	Walworth	4.75
Hanson	4.77	Washabaugh	4.70
Harding	4.68	Washington	4.70
Hughes	4.75	Yankton	4.77
Hutchinson	4.76	Ziebach	4.71
Hyde	4.76		

TEXAS

Arkansas	$4.63	Kleberg	$4.60
Atascasa	4.58	Line Oak	4.61
Bee	4.62	Matagarda	4.59
Brazaria	4.62	Nueces	4.62
Calhoun	4.59	Refugia	4.62
Cameron	4.64	San Patricia	4.64
De Witte	4.58	Victoria	4.59
Galiad	4.60	Wharton	4.60
Jackson	4.59	Willacy	4.62
Jim Wells	4.60	Wilson	4.57
Karnes	4.59		

WISCONSIN

Ashland	$4.79	Manitowoc	$4.81
Barron	4.82	Marathon	4.80
Bayfield	4.80	Milwaukee	4.86
Brown	4.80	Ozaukee	4.82
Calumet	4.81	Pepin	4.83
Chippewa	4.82	Pierce	4.85
Clark	4.81	Racine	4.86
Dane	4.82	Richland	4.80
Door	4.78	Rock	4.83
Douglas	4.81	Rusk	4.81
Dunn	4.84	St. Croix	4.85
Eau Claire	4.82	Sheboygan	4.81
Fond du Lac	4.81	Walworth	4.83
Green	4.82	Waushara	4.80
Green Lake	4.81	Winnebago	4.81
Kenosha	4.86	Wood	4.80
Kewaunee	4.79		

WYOMING

Campbell	$4.57	Laramie	$4.63
Crook	4.58	Platte	4.62
Goshen	4.62	Sheridan	4.56
Johnson	4.54	Weston	4.60

(Sec. 7 (a), 49 Stat. 4 as amended, sec. 4 (a), 55 Stat. 498, 56 Stat. 768; 15 U. S. C. and Sup. 713 (a), 713 (a)–8, 50 U. S. C. App. Sup. 969; Article Third, pars. (b), (j) Charter of Commodity Credit Corporation)

[SEAL] JESSE B. GILMER,
President,
Commodity Credit Corporation.

JULY 18, 1947.

[F. R. Doc. 47-6942; Filed, July 23, 1947; 8:51 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 900—GENERAL REGULATIONS UNDER THE AGRICULTURAL MARKETING AGREEMENT ACT OF 1937

EXECUTION OF MARKETING AGREEMENT AND ISSUANCE OF MARKETING ORDER

By virtue of the authority vested in the Secretary of Agriculture by Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the Administrative Procedure Act (60 Stat. 237), and in conformity with the provisions of § 102 of Part I of Reorganization Plan No. 1 of 1947 (12 F. R. 4534), the rules of practice and procedure, as amended (7 CFR, Supps., 900.1 et seq.; 11 F. R. 7737; 12 F. R. 1159), issued under the Agricultural Marketing Agreement Act of 1937, as amended, are hereby further amended by deleting the provisions of § 900.14 (c) and inserting, in lieu thereof, the following:

§ 900.14 *Execution of marketing agreement and issuance of marketing order.* * * *

(c) *Issuance of marketing order without marketing agreement.* If, despite the failure or refusal of handlers to sign the marketing agreement, as provided in section 8c (8) of the act, the Secretary makes the determinations required under section 8c (9) of the act, the Secretary shall issue and make effective the marketing order, if any, which was filed as a part of his decision pursuant to § 900.13a.

(48 Stat. 37, 49 Stat. 760, 50 Stat. 246, 248, 60 Stat. 237; 7 U. S. C. 608c (15) (A), 610 (c), 671, 5 U. S. C., Supp. 133y et seq.; 12 F. R. 4534)

Done at Washington, D. C., this 18th day of July 1947. Witness my hand and the seal of the Department of Agriculture.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

Approved: July 19, 1947.

HARRY S. TRUMAN,
President of the United States.

[F. R. Doc. 47-6970; Filed, July 23, 1947; 8:50 a. m.]

PART 962—FRESH PEACHES GROWN IN GEORGIA

DETERMINATION RELATIVE TO BUDGET OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1947–48 FISCAL PERIOD

On July 3, 1947, the Secretary of Agriculture approved (12 F. R. 4536) the rate of assessment for the 1947–48 fiscal period under the marketing agreement and Order No. 62 (7 CFR, Cum. Supp., 962.1 et seq.), regulating the handling of fresh peaches grown in the State of Georgia. Such approval was given after consideration of all relevant matters presented, including the proposals set forth in the notice of proposed rule making which was published in the FEDERAL REGISTER on May 30, 1947 (12 F. R. 3538). One of the factors considered as a basis for the approved rate of assessment was that interstate shipments of peaches for the 1947–48 fiscal period would, according to the estimate of the Industry Committee (established pursuant to the aforesaid marketing agreement and order), aggregate 2,709,000 bushels. It has become necessary, since that time, to revise such estimate to 2,167,200 bushels.

Section 3 of the marketing agreement and § 962.5 of Order No. 62 provide that at any time during a fiscal period the Secretary may increase the rate of assessment in order to secure sufficient funds to cover any later finding by the Secretary relative to the expenses of the aforesaid committee. Such increase shall be applicable to all assessable peaches handled during the fiscal period.

Pursuant to the provisions of the aforesaid marketing agreement and order and on the basis of available information, it is hereby found that the approved rate of assessment (12 F. R. 4536) of eight mills ($0.008) should be increased to one cent ($0.01) per bushel basket of peaches (net weight 50 pounds), or its equivalent of peaches in other containers or in bulk, shipped during the 1947–48 fiscal period so as to provide sufficient funds with which to defray the expenses of the aforesaid committee.

It is, therefore, ordered, That the provisions of § 962.201 *Budget of expenses and rate of assessment for the 1947–48 fiscal period* (12 F. R. 4536) are hereby amended to read as follows:

§ 962.201 *Budget of expenses and rate of assessment for the 1947–48 fiscal period.* The expenses necessary to be incurred by the Industry Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions of the aforesaid marketing agreement and order, during the fiscal period beginning March 1, 1947, and ending on the last day of February 1948, both dates inclusive, will amount to $21,672.00, and the rate of assessment to be paid, in accordance with the aforesaid marketing agreement and order, by each handler who first handles peaches shall be one cent ($0.01) per bushel basket of peaches (net weight 50 pounds), or its equivalent of peaches in other containers or in bulk, shipped by him as the first shipper thereof during said fiscal period; and such rate of assessment is hereby approved as each such handler's pro rata share of the aforesaid expenses.

Compliance with the notice, public rule making procedure, and 30-day effective date requirements of section 4 of the Administrative Procedure Act is impracticable, unnecessary, and contrary to the public interest in that (a) regulations with respect to shipments of peaches have been in effect since June 5, 1947; (b) a large volume of the Georgia peach crop is handled by itinerant truckers and cash buyers who operate in the area only part of the season; and (c) in order for the assessments to be collected, especiallly from those handlers who do not have definite or established places of business

in the production area, it is essential that the specification of the increased assessment rate be issued immediately so as to enable the said Industry Committee to perform its duties and functions under the aforesaid marketing agreement and order.

As used in this section, the terms "handler," "shipped," "peaches," and "fiscal period" shall have the same meaning as is given to each such term in the aforesaid marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR, Cum. Supp., 962.5)

Done at Washington, D. C., this 18th day of July 1947.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 47-6945; Filed, July 23, 1947; 8:52 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5466]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MYNDALL CAIN HOUSE OF BEAUTY

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—History:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Qualifications and abilities:* § 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (j 10) *Advertising falsely or misleadingly—History of product or offering:* § 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (y 10) *Advertising falsely or misleadingly—Scientific or other relevant facts:* § 3. 6 (dd 10) *Advertising falsely or misleadingly—Success, use or standing:* § 3.6 (ff 10) *Advertising falsely or misleadingly—Unique nature or advantages:* § 3.96 (a) *Using misleading name—Goods—Qualities or properties.* In connection with the offering for sale, sale and distribution of respondents' products Myndall Cain Gardenia Cleansing Oil (also known as Myndall Cain Cleansing Oil and formerly as Myndall Cain Liquid Cleansing Cream), Myndall Cain Nu-Rich-ing Oil (formerly known as Myndall Cain Liquid Nourishing Cream), Myndall Cain Facial Oil, Myndall Cain Youth Skin Oil (also known as Youth Oil), Myndall Cain Amber Oil (formerly known as Myndall Cain Brazilian Oil), Myndall Cain Facial Masque (also known as Myndall Cain Facial Exerciser), Myndall Cain Eye Tissue Oil (formerly known as Myndall Cain Eye Muscle Oil), Myndall Cain Morning Dew, Myndall Cain Foundation Lotion, Myndall Cain Muscle Massage Oil (formerly known as Myndall Cain Muscle Strengthener), and Myndall Cain Pine Oil Freshener (formerly known as Myndall Cain Pine Oil Astringent and as Myndall Cain Pine Scent Freshener), or any products of substantially similar composition or possessing substantially similar properties, disseminating, etc., any advertisements by means of the United States mail, or in commerce, or by any means to induce, etc., directly or indirectly the purchase in commerce, etc., of any of the said products, which advertisements (a) represent that the use of Myndall Cain Gardenia Cleansing Oil is a natural way to complexion loveliness; that said product will nourish or revitalize the skin or complexion; that all women with beautiful complexions use beauty oils and that the use of this product will result in clear, transparent beauty; that Myndall Cain brought to America a new method of using beauty oils; that the use of the oils in said product will cleanse the complexion, except to the extent that when removed from the skin they will carry with them whatever foreign matter is attached thereto; that the oils in said product replace the natural oils of the skin; that said product is an outstanding scientific triumph or achievement; that the use of said product will relieve sallowness of the skin, will eliminate large pores or flush away dirt or other foreign matter in the skin, penetrate the skin to any significant degree or clear the pores of the skin, or that any number of treatments with the product will make the skin clearer in all cases; (b) represent that Myndall Cain Nu-Rich-ing Oil is composed of ingredients which are a new discovery in cosmetics; that it will nourish the skin; that the skin will absorb said product; that it penetrates the skin to any significant extent; that it replenishes the parched skin cells with nourishment; that it protects the skin against drying and parching conditions, except to the extent that it will temporarily protect the skin against drying due to exposure to heat, wind and sun; that it contains honey or will replenish the natural oils in the skin or act as a natural refreshment for the skin; that its use will eliminate wrinkles of the skin or give the skin new life or color; (c) represent that the use of Myndall Cain Facial Oil is a natural way to care for the skin, that it will relieve crinkling and fine lines in the skin or eliminate sallowness; that it will penetrate into or be absorbed by the skin to any significant degrees; that its use will relieve dryness or flakiness of the skin other than providing temporary relief of chapping; that it will give new life, color or a smooth texture to the skin; that said product is composed of rare or precious ingredients; that it is like a doctor's prescription; that said product is substantially different in composition from many other products on the market; that said Facial Oil is essential or necessary for the proper care of a person's skin; (d) represent that Myndall Cain Youth Skin Oil will eliminate fine lines, wrinkles and crinkling of the skin; that it will stimulate or rejuvenate exhausted or aging skin; that it is composed of the same ingredients as those in the skin; that it contains hormones; that it is a revolutionary product; that there are no other products on the market composed of the same or substantially the same ingredients; that it has any "youthifying" effects upon the skin; that said product is for sale at most department stores, when such is not the fact; (e) represent that Myndall Cain Amber Oil will eliminate lines and wrinkles or have any significant effect upon lines or wrinkles; (f) represent that Myndall Cain Facial Masque flushes sluggish skin or any other type of skin, or that its use relieves sallowness or blemishes of the skin or facial fatigue; (g) represent that Myndall Cain Eye Tissue Oil will eliminate crow's-feet or fine lines around the eyes or have any significant effect upon such condition; (h) represent that Myndall Cain Morning Dew will aid in refining the texture of the skin or make the skin smooth, or that it acts as a skin protection under all conditions; (i) represent that the use of Myndall Cain Foundation Lotion is necessary in order to have a beautiful skin; (j) represent that Myndall Cain Muscle Massage Oil will have any effect upon the facial or other muscles; that its use will have any effect upon the circulation of the blood; (k) represent that Myndall Cain Pine Oil Freshener will improve the texture or structure of the skin or eliminate enlarged pores or coarsened skin; that said product will have any effect on the skin other than that of a temporary astringent action; (l) represent that respondents' products differ in composition from many of those sold by their competitors; that the use of such products will keep the complexion young; that respondents' oils are considered to be the greatest achievement in cosmetology; that they were discovered by the greatest specialists of Europe or that they were perfected by Myndall Cain; that said oils are absorbed by the skin to any significant degree or are a natural way to complexion loveliness; that said products nourish or revitalize the skin; that the oils used in respondents' products are rare or are composed of ingredients which are the same as those of the natural secretions of the skin or as near to such secretions as scientists can blend; that their use will correct any complexion fault; that the most beautiful or lovely women in every group are patrons of Myndall Cain; that respondents' products are shipped all over America or can be purchased at all local stores, when such is not the fact; or, (m) represent that the oils in any of respondents' said products will have any beneficial effect on the skin in excess of their ability to facilitate the removal by mechanical means of foreign matter on the surface of the skin or to temporarily soften dry skin when dryness is caused by external conditions; or which (n) use the word "Youth" as a part of the trade or brand name for the product now known as "Myndall Cain Youth Skin Oil"; (o) use the word "Tissue" as a part of the trade or brand name for the product now known as "Myndall Cain Eye Tissue Oil"; or, (p) use the words "Muscle Massage" as a part of the trade or brand name for the product now known as "Myndall Cain Muscle Massage Oil"; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, The Myndall Cain House of Beauty, Docket 5466, May 19, 1947]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 19th day of May A. D. 1947.

In the Matter of William A. Wickland, and Myndall Cain Wickland, Individually and as Copartners Doing Business Under the Trade Name and Style of The Myndall Cain House of Beauty

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, William A. Wickland and Myndall Cain Wickland, and their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of their products Myndall Cain Gardenia Cleansing Oil (also known as Myndall Cain Cleansing Oil and formerly as Myndall Cain Liquid Cleansing Cream), Myndall Cain Nu-Rich-ing Oil (formerly known as Myndall Cain Liquid Nourishing Cream), Myndall Cain Facial Oil, Myndall Cain Youth Skin Oil (also known as Youth Oil), Myndall Cain Amber Oil (formerly known as Myndall Cain Brazilian Oil), Myndall Cain Facial Masque (also known as Myndall Cain Facial Exerciser), Myndall Cain Eye Tissue Oil (formerly known as Myndall Cain Eye Muscle Oil), Myndall Cain Morning Dew, Myndall Cain Foundation Lotion, Myndall Cain Muscle Massage Oil (formerly known as Myndall Cain Muscle Strengthener), and Myndall Cain Pine Oil Freshener (formerly known as Myndall Cain Pipe Oil Astringent and as Myndall Cain Pine Scent Freshener), or any products of substantially similar composition or possessing substantially similar properties, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mail or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement:

(a) Represents that the use of Myndall Cain Gardenia Cleansing Oil is a natural way to complexion loveliness; that said product will nourish or revitalize the skin or complexion; that all women with beautiful complexions use beauty oils and that the use of this product will result in clear, transparent beauty; that Myndall Cain brought to America a new method of using beauty oils; that the use of the oils in said product will cleanse the complexion, except to the extent that when removed from the skin they will carry with them whatever foreign matter is attached thereto; that the oils in said product replace the natural oils of the skin; that said product is an outstanding scientific triumph or achievement; that the use of said product will relieve sallowness of the skin, will eliminate large pores or flush away dirt or other foreign matter in the skin, penetrate the skin to any significant degree or clear the pores of the skin, or that any number of treatments with the product will make the skin clearer in all cases.

(b) Represents that Myndall Cain Nu-Riching Oil is composed of ingredients which are a new discovery in cosmetics; that it will nourish the skin; that the skin will absorb said product; that it penetrates the skin to any significant extent; that it replenishes the parched skin cells with nourishment; that it protects the skin against drying and parching conditions, except to the extent that it will temporarily protect the skin against drying due to exposure to heat, wind and sun; that it contains honey or will replenish the natural oils in the skin or act as a natural refreshment for the skin; that its use will eliminate wrinkles of the skin or give the skin new life or color.

(c) Represents that the use of Myndall Cain Facial Oil is a natural way to care for the skin, that it will relieve crinkling and fine lines in the skin or eliminate sallowness; that it will penetrate into or be absorbed by the skin to any significant degree; that its use will relieve dryness or flakiness of the skin other than providing temporary relief of chapping; that it will give new life, color or a smooth texture to the skin; that said product is composed of rare or precious ingredients; that it is like a doctor's prescription; that said product is substantially different in composition from many other products on the market; that said Facial Oil is essential or necessary for the proper care of a person's skin.

(d) Represents that Myndall Cain Youth Skin Oil will eliminate fine lines, wrinkles and crinkling of the skin; that it will stimulate or rejuvenate exhausted or aging skin; that it is composed of the same ingredients as those in the skin; that it contains hormones; that it is a revolutionary product; that there are no other products on the market composed of the same or substantially the same ingredients; that it has any "youthifying" effects upon the skin; that said product is for sale at most department stores, when such is not the fact.

(e) Represents that Myndall Cain Amber Oil will eliminate lines and wrinkles or have any significant effect upon lines or wrinkles.

(f) Represents that Myndall Cain Facial Masque flushes sluggish skin or any other type of skin, or that its use relieves sallowness or blemishes of the skin or facial fatigue.

(g) Represents that Myndall Cain Eye Tissue Oil will eliminate crow's-feet or fine lines around the eyes or have any significant effect upon such condition.

(h) Represents that Myndall Cain Morning Dew will aid in refining the texture of the skin or make the skin smooth, or that it acts as a skin protection under all conditions.

(i) Represents that the use of Myndall Cain Foundation Lotion is necessary in order to have a beautiful skin.

(j) Represents that Myndall Cain Muscle Massage Oil will have any effect upon the facial or other muscles; that its use will have any effect upon the circulation of the blood.

(k) Represents that Myndall Cain Pine Oil Freshener will improve the texture or structure of the skin or eliminate enlarged pores or coarsened skin; that said product will have any effect on the skin other than that of a temporary astringent action.

(l) Represents that respondents' products differ in composition from many of those sold by their competitors; that the use of such products will keep the complexion young; that respondents' oils are considered to be the greatest achievement in cosmetology; that they were discovered by the greatest specialists of Europe or that they were perfected by Myndall Cain; that said oils are absorbed by the skin to any significant degree or are a natural way to complexion loveliness; that said products nourish or revitalize the skin; that the oils used in respondents' products are rare or are composed of ingredients which are the same as those of the natural secretions of the skin or as near to such secretions as scientists can blend; that their use will correct any complexion fault; that the most beautiful or lovely women in every group are patrons of Myndall Cain; that respondents' products are shipped all over America or can be purchased at all local stores, when such is not the fact.

(m) Represents that the oils in any of respondents' said products will have any beneficial effect on the skin in excess of their ability to facilitate the removal by mechanical means of foreign matter on the surface of the skin or to temporarily soften dry skin when dryness is caused by external conditions.

(n) Uses the word "Youth" as a part of the trade or brand name for the product now known as "Myndall Cain Youth Skin Oil".

(o) Uses the word "tissue" as a part of the trade or brand name for the product now known as "Myndall Cain Eye Tissue Oil".

(p) Uses the words "Muscle Massage" as a part of the trade or brand name for the product now known as "Myndall Cain Muscle Massage Oil".

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase, in commerce, as "commerce" is defined in the Federal Trade Commission Act, of any of the said products, which advertisement contains any representation prohibited in paragraph 1 hereof.

It is further ordered, That the respondents shall, within six (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 47-6947; Filed, July 23, 1947; 8:52 a. m.]

[Docket No. 4496]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

TAG MANUFACTURERS INSTITUTE ET AL.

§ 3.27 (d) *Combining or conspiring—To enhance, maintain, or unify prices.* In connection with the offering for sale, sale, and distribution of tags, pin tickets, and other similar marking and pricing devices, or "tag products," in commerce, and on the part of respondent Tag Manufacturers Institute, its officers, etc., and respondent Frank H. Baxter, individually and as an officer of said Institute, and his representatives, etc., and respondent members, and their respective representatives, etc., entering into, continuing, cooperating in, or carrying out any planned common course of action, mutual agreement, understanding, combination, or conspiracy between and among any two or more of said respondents and others not parties hereto to (1) establish, fix, or maintain prices, terms, or conditions of sale for tags or tag products or adhere to, or promise to adhere to, the prices, terms, or conditions of sale so fixed; (2) hold or participate in any meeting, discussion, or exchange of information among themselves or under the auspices of the respondent Tag Manufacturers Institute, respondent Frank H. Baxter, or any other medium or agency for the purpose of discussing or devising methods or fixing, establishing, or maintaining prices, terms, or conditions of sale for tags or tag products; (3) expressly or impliedly subscribe to, or carry out, any past, presently existing, or new agreement to establish, maintain, or continue any plan for the purpose or with the effect of informing or advising any of the manufacturing respondents or any other manufacturer of tags or tag products as to the price, terms, or conditions of sale at or upon which any manufacturing respondent or other seller of tags or tag products expects to make a sale or sales of tags or tag products; (4) exchange, distribute, or relay among the manufacturing respondents, or any of them, or through respondent Tag Manufacturers Institute, respondent Frank H. Baxter, or through any other medium or central agency, information as to current prices for the purpose or with the effect of fixing or maintaining prices, terms, or conditions of sale for tags or tag products; (5) exchange, distribute, or relay among the manufacturing respondents, or any of them, or through respondent Tag Manufacturers Institute, respondent Frank H. Baxter, or through any other medium or central agency, information concerning prices charged particular customers or information concerning sales or shipments of tags or tag products when the identity of the manufacturer, seller, or purchaser can be determined or disclosed through such information and which has the capacity or tendency of aiding in securing compliance with the prices, terms, or conditions of sale as announced by any one or more of the manufacturing respondents; (6) collectively investigate, review, consider, or act upon, either directly or through respondent Tag Manufacturers Institute, respondent Frank H. Baxter, or any other medium or central agency, the act of any seller of tags in making a sale at prices, terms, or conditions of sale different from those announced, exchanged, or relayed by such seller to other respondents directly, through respondent Frank H. Baxter, or otherwise; (7) take any action for the purpose or with the effect of penalizing in any way, through the assessment or collection of liquidated damages or the imposition of any other penalty upon or against any seller of tags or tag products for failure to file with or exchange among respondents, directly or through respondent Tag Manufacturers Institute, respondent Frank H. Baxter, or any other medium or central agency, information concerning prices, terms, or conditions of sale expected to be charged by such seller or information concerning prices which such seller has charged or is currently charging any one of its customers; (8) take any action having the purpose, capacity, or tendency to aid in securing on the part of any seller of tags or tag products compliance with its announced prices, terms, or conditions of sale; (9) formulate, establish, put into operation, continue, or use in any way any "open price reporting plan" or any price reporting plan which has the tendency or the effect of depriving the public of any benefit of competition in price between and among the manufacturing respondents or between any of them and any other manufacturere or seller of tags or tag products; (10) authorize or permit the examination of the books or other records of the manufacturing respondents by any agent of respondent Tag Manufacturers Institute, respondent Frank H. Baxter, or by any agent of the respondents, or any of them, so as to permit or make possible a collective or cooperative consideration or comparison through any common agent of the prices, terms, or conditions of sale at which the respective manufacturing respondents have made sales, are currently making sales, or expect to make sales; or (11) employ or utilize respondent Frank H. Baxter, respondent Tag Manufacturers Institute, or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts or practices prohibited by this order; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Tag Manufacturers Institute et al., Docket 4496, May 19, 1947.]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 19th day of May A. D. 1947.

In the Matter of Tag Manufacturers Institute, an Unincorporated Trade Association; Frank H. Baxter, Individually and as Secretary-Treasurer and Executive Director of the Tag Manufacturers Institute; Acme Tag Company, a Corporation; Allen-Bailey Tag Co., Inc., a Corporation; American Tag Company, a Corporation; American Tag Company of New Jersey, a Corporation; Atlas Tag Company, a Corporation; Badger Tag Co., Inc., a Corporation; A. C. Baldwin & Sons, a Corporation; Campbell Box and Tag Company, a Corporation; Central Tag Co., a Corporation; Cupples-Hesse Envelope & Litho. Co., a Corporation; Dancyger Manufacturing Company, a Corporation; The Denny Tag Company Incorporated, a Corporation; Dennison Manufacturing Co., a Corporation; Howard W. Eastman and Julia Eastman, Copartners Doing Business Under the Firm Name and Style of Eastman Tag & Label Company; Ennis Tag and Printing Company, a Corporation; Haywood Tag Company, a Corporation; International Tag & Salesbook Co., a Corporation; Keystone Tag Company, a Corporation; A. Kimball Company, a Corporation; Marion Manufacturing Company, a Corporation; J. L. May, J. C. May, and Frank May, Copartners Doing Business Under the Firm Name and Style of J. L. May Company; Michigan Tag Company, a Corporation; Midwest Tag Company, a Corporation; The National Tag Company, a Corporation; The Reyburn Manufacturing Company, Inc., a Corporation; The Robinson Tag and Label Company, a Corporation; Rockmont Envelope Company, a Corporation; Salisbury Mfg. Co., a Corporation; The Standard Envelope Mfg. Co., a Corporation, Which Sometimes Operates Under the Unincorporated Trade Name of Sterling Tag Company; Tagcraft Corporation, a Corporation; Waterbury Buckle Company, a Corporation, Which Sometimes Operates Under the Unincorporated Trade Name of Waterbury Tag Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondents, testimony and other evidence in support of and in opposition to the allegations of said complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Tag Manufacturers Institute, an unincorporated association, and its officers, directors, agents, and employees; and Frank H. Baxter, individually and as an officer of Tag Manufacturers Institute, and his representatives, agents, and employees; and Acme Tag Company, a corporation, Allen-Bailey Tag Co., Inc., a corporation, American Tag Company, a corporation, American Tag Company of New Jersey, a corporation, Atlas Tag Company, a corporation, Badger Tag Co., Inc., a corporation, A. C. Baldwin & Sons, a corporation, Campbell Box and Tag Company, a corporation, Central Tag Co., a corporation, Cupples-Hesse Envelope & Litho. Co., a corporation, Dancyger Manufacturing Company, a corporation, The Denney Tag Company Incorporated, a corporation, Dennison Manufacturing Co., a corporation, Ennis Tag and Printing Company, a corporation, Haywood Tag Company, a corporation, International Tag & Salesbook Co., a corpora-

tion, Keystone Tag Company, a corporation, A. Kimball Company, a corporation, Marion Manufacturing Company, a corporation, Michigan Tag Company, a corporation, Midwest Tag Company, a corporation, The National Tag Company, a corporation, The Reyburn Manufacturing Company, Inc., a corporation, The Robinson Tag and Label Company, a corporation, Rockmont Envelope Company, a corporation, Salisbury Mfg. Co., a corporation, The Standard Envelope Mfg. Co., a corporation, which sometimes operates under the unincorporated trade name of Sterling Tag Company, Tagcraft Corporation, a corporation, and Waterbury Buckle Company, a corporation, which sometimes operates under the unincorporated trade name of Waterbury Tag Company, and their respective officers, agents, representatives and employees; and Howard W. Eastman and Julia Eastman, copartners trading as Eastman Tag & Label Company, and J. L. May, J. C. May, and Frank May, copartners trading as J. L. May Company, and their respective representatives, agents, and employees, in connection with the offering for sale, sale, and distribution of tags, pin tickets, and other similar marking and pricing devices, hereinafter referred to as "tag products," in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, mutual agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto to do or perform any of the following acts or practices:

1. Establishing, fixing, or maintaining prices, terms, or conditions of sale for tags or tag products or adhering to, or promising to adhere to, the prices, terms, or conditions of sale so fixed.

2. Holding or participating in any meeting, discussion, or exchange of information among themselves or under the auspices of the respondent Tag Manufacturers Institute, respondent Frank H. Baxter, or any other medium or agency for the purpose of discussing or devising methods of fixing, establishing, or maintaining prices, terms, or conditions of sale for tags or tag products.

3. Expressly or impliedly subscribing to, or carrying out, any past, presently existing, or new agreement to establish, maintain, or continue any plan for the purpose or with the effect of informing or advising any of the manufacturing respondents or any other manufacturer of tags or tag products as to the price, terms, or conditions of sale at or upon which any manufacturing respondent or other seller of tags or tag products expects to make a sale or sales of tags or tag products.

4. Exchanging, distributing, or relaying among the manufacturing respondents, or any of them, or through respondent Tag Manufacturers Institute, respondent Frank H. Baxter, or through any other medium or central agency, information as to current prices for the purpose or with the effect of fixing or maintaining prices, terms, or conditions of sale for tags or tag products.

5. Exchanging, distributing, or relaying among the manufacturing respondents, or any of them, or through respondent Tag Manufacturers Institute, respondent Frank H. Baxter, or through any other medium or central agency, information concerning prices charged particular customers or information concerning sales or shipments of tags or tag products when the identity of the manufacturer, seller, or purchaser can be determined or disclosed through such information and which has the capacity or tendency of aiding in securing compliance with the prices, terms, or conditions of sale as announced by any one or more of the manufacturing respondents.

6. Collectively investigating, reviewing, considering, or acting upon, either directly or through respondent Tag Manufacturers Institute, respondent Frank H. Baxter, or any other medium or central agency, the act of any seller of tags in making a sale at prices, terms, or conditions of sale different from those announced, exchanged, or relayed by such seller to other respondents directly, through respondent Frank H. Baxter, or otherwise.

7. Taking any action for the purpose or with the effect of penalizing in any way, through the assessment or collection of liquidated damages or the imposition of any other penalty upon or against any seller of tags or tag products for failure to file with or exchange among respondents, directly or through respondent Tag Manufacturers Institute, respondent Frank H. Baxter, or any other medium or central agency, information concerning prices, terms, or conditions of sale expected to be charged by such seller or information concerning prices which such seller has charged or is currently charging any one of its customers.

8. Taking any action having the purpose, capacity, or tendency to aid in securing on the part of any seller of tags or tag products compliance with its announced prices, terms, or conditions of sale.

9. Formulating, establishing, putting into operation, continuing, or using in any way any "open price reporting plan" or any price reporting plan which has the tendency or the effect of depriving the public of any benefit of competition in price between and among the manufacturing respondents or between any of them and any other manufacturer or seller of tags or tag products.

10. Authorizing or permitting the examination of the books or other records of the manufacturing respondents by any agent of respondent Tag Manufacturers Institute, respondent Frank H. Baxter, or by any agent of the respondents, or any of them, so as to permit or make possible a collective or cooperative consideration or comparison through any common agent of the prices, terms, or conditions of sale at which the respective manufacturing respondents have made sales, are currently making sales, or expect to make sales.

11. Employing or utilizing respondent Frank H. Baxter, respondent Tag Manufacturers Institute, or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts or practices prohibited by this order.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 47-6946; Filed, July 23, 1947; 8:52 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular 1624 (b)]

PART 192—OIL AND GAS LEASES

OVERRIDING ROYALTIES

The last paragraph of Circular 1624 (a), approved June 6, 1947, amending sec. 2 (r) of Oil and Gas Lease Form 4-213,[1] is revoked and sec. 2 (q) of the lease form is amended to read as follows:

(q) *Overriding royalties.* To limit the obligation to pay overriding royalties or payments out of production in excess of 5 percent to periods during which the average production per well per day is more than 15 barrels on an entire leasehold or any part of the area thereof or any zone segregated for the computation of royalties.

(Sec. 32, 41 Stat. 450, 60 Stat. 950, 30 U. S. C. 189)

OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

JULY 17, 1947.

[F. R. Doc. 47-6926; Filed, July 23, 1947; 8:50 a. m.]

[Circular 1649]

PART 192—OIL AND GAS LEASES

APPLICATIONS FOR NONCOMPETITIVE LEASES

The second sentence in the first paragraph of 43 CFR 192.42 (Circular 1624, approved October 28, 1946), is amended to read as follows: "All applications must be filed in duplicate and must be accompanied by the filing fee prescribed in § 191.11 of this chapter, and at least one-half of the first year's rental."

(Sec. 32, 41 Stat. 450, 60 Stat. 950; 30 U. S. C. 189)

OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

JULY 17, 1947.

[F. R. Doc. 47-6927; Filed, July 23, 1947; 8:50 a. m.]

[1] See 43 CFR 192.44.

Appendix—Public Land Orders

[Public Land Order 382]

WYOMING

MODIFYING PUBLIC LAND ORDER 329 TO PERMIT MINERAL LEASING

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order 329, dated October 17, 1946, withdrawing Tract 63, T. 47 N., R. 93 W., 6th P. M., Wyoming "from all forms of appropriation, including the mining and mineral leasing laws," for the use of the Bureau of Land Management as an administrative site, is hereby modified by deleting from the quoted language the words "and mineral leasing".

This order shall not become effective to change the status of the land until 10:00 a. m. of the sixty-third day from the date on which it is signed.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

JULY 17, 1947.

[F. R. Doc. 47-6925; Filed, July 23, 1947; 8:50 a. m.]

TITLE 48—TERRITORIES AND INSULAR POSSESSIONS

Chapter IV—The Alaska Railroad, Department of the Interior

PART 400—ORGANIZATION AND PROCEDURE

REDELEGATIONS OF AUTHORITY

Section 400.100 is added to Chapter IV to read as follows:

§ 400.100 *Redelegations of authority; contracts.* (a) Pursuant to 43 CFR 4.100 and subject to its provisions, the persons specified in paragraph (b) of this section are authorized to enter into contracts on behalf of The Alaska Railroad. All contracts, other than those contracts for the purchase of materials, supplies and commissary requirements, entered into pursuant to the authority granted by this section and requiring payment by The Alaska Railroad of an amount in excess of one thousand dollars must be approved in writing by the General Manager or the Acting General Manager before becoming effective. With respect to any contract entered into on a United States standard form, a person authorized to enter contracts on behalf of the Railroad by virtue of this section, shall be deemed the contracting officer within the meaning of the provisions of said standard forms. In the case of any proposed contract to be entered into on a form other than a United States standard form, the extent of the authority of the person authorized to enter into such contract shall be as determined by the General Manager. The authority delegated by this section includes the authority to enter into a contract without previous advertisement for proposals in any case where the entering into a contract under such circumstances is authorized by section 9 of the act of August 2, 1946 (60 Stat. 806, 809, 41 U. S. C. sec. 5). However, the person entering into any such contract without previous advertisement shall without delay thereafter execute United States Standard Form No. 1034-Rev., including the form "Method of or Absence of Advertising" on the reverse side of said Form No. 1034-Rev. Persons authorized by this section to enter into contracts on behalf of the Railroad shall obtain the advice of the Chief Counsel, Division of Territories and Island Possessions, or the Legal Counsel of the Railroad throughout the course of the negotiations relating to a contract. Invitations for bids, bid forms, specifications, contract forms, and all other forms or materials pertaining to contracts of the Railroad shall be submitted to the said Chief Counsel or Legal Counsel for examination and every contract of the Railroad, other than those contracts for the purchase of materials, supplies and commissary requirements, entered into pursuant to the authority granted by this section and requiring payment by The Alaska Railroad of an amount in excess of one thousand dollars shall be initialed by either the Chief Counsel or the Legal Counsel. Forms or other materials relating to contracts of the Railroad shall be submitted for examination by the Chief Counsel or the Legal Counsel prior to their formal issuance or execution in any case where there is involved any departure from practices or procedures theretofore in effect, or any other novel or unusual circumstances.

(b) The following persons are authorized to exercise the authority with respect to contracts of The Alaska Railroad delegated by paragraph (a) of this section:

(1) The Purchasing Officer, Alaska-Seattle Service Office.

(2) The Assistant General Manager, The Alaska Railroad.

(3) The Superintendent of Operations, The Alaska Railroad.

(4) The Special Representative of The Alaska Railroad, Seattle Office.

(5) The Traffic Manager, The Alaska Railroad.

(6) The Chief Engineer, The Alaska Railroad.

(7) The Superintendent, Stores and Purchases, The Alaska Railroad.

(8) The Superintendent, Motive Power and Equipment, The Alaska Railroad.

(9) The Conservation Engineer, The Alaska Railroad.

(10) The Chief Surgeon, The Alaska Railroad.

(Secs. 3, 12, Pub. Law 404, 79th Cong., 60 Stat. 238, 244)

J. P. JOHNSON,
General Manager.

JULY 12, 1947.

[F. R. Doc. 47-6931; Filed, July 23, 1947; 8:51 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEW MEXICO

AIR-NAVIGATION SITE WITHDRAWAL NO. 238

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (U. S. C. Title 43, sec. 315f), and in section 4 of the act of May 24, 1928, 45 Stat. 729 (U. S. C. Title 49, sec. 214), it is ordered as follows:

The following-described public land in New Mexico is hereby classified as necessary and suitable for air-navigation site purposes, and, subject to valid existing rights, is withdrawn from all forms of appropriation under the public-land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 238:

NEW MEXICO PRINCIPAL MERIDIAN

T. 29 S., R. 7 W.,
Sec. 5, W½NE¼NE¼, NW¼NE¼, N½SW¼NE¼, and NW¼SE¼NE¼.

The areas described aggregate 90 acres.

It is intended that the public land described herein shall be returned to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

JULY 17, 1947.

[F. R. Doc. 47-6928; Filed, July 23, 1947; 8:50 a. m.]

WYOMING

STOCK DRIVEWAY WITHDRAWAL NO. 144, WYOMING NO. 18, MODIFIED

JULY 17, 1947.

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, amended by the act of June 26, 1936, 49 Stat. 1976 (U. S. C. Title 43, sec. 315f), and in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (U. S. C., Title 43, sec. 300), it is ordered as follows:

The following public lands in Wyoming are hereby classified as necessary and suitable for the purpose and, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public as an addition to

Stock Driveway Withdrawal No. 144, Wyoming No. 18:

SIXTH PRINCIPAL MERIDIAN

T. 42 N., R. 86 W.,
sec. 26, NW¼SE¼;
sec. 35, NW¼SE¼.

The areas described aggregate 80 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and such regulations as have been or may be issued thereunder.

The order of the First Assistant Secretary of the Interior dated December 28, 1922 adding certain lands to Stock Driveway Withdrawals Nos. 128 and 144, Wyoming Nos. 13 and 18 is hereby revoked so far as it affects the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 42 N., R. 86 W.,
sec. 26, SW¼NW¼;
sec. 34, NE¼SE¼.

The areas described aggregate 80 acres.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

[F. R. Doc. 47-6929; Filed, July 23, 1947; 8:50 a. m.]

WYOMING

NOTICE FOR FILING OBJECTIONS TO PROPOSED ORDER MODIFYING STOCK DRIVEWAY WITHDRAWAL NO. 144, WYOMING NO. 18

JULY 17, 1947.

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the proposed order of the Secretary of the Interior which would add the NW¼SE¼ sec 26 and NW¼SE¼ sec. 35, T. 42 N., R. 86 W., 6th P. M., Wyoming, to Stock Driveway Withdrawal No. 144, Wyoming No. 18, and release the SW¼NW¼ sec. 26 and NE¼SE¼ sec. 34, in the same townships, from the stock driveway withdrawal, may present their objections to the Secretary of the Interior. The proposed change is designed to effect an improvement in the stock trail. Objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed, and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose, intent and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

[F. R. Doc. 47-6930; Filed, July 23, 1947; 8:50 a. m.]

GIVIL AERONAUTICS BOARD

[Docket No. SA-147]

ACCIDENT AT MELBOURNE, FLA.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 79024, which occurred at Melbourne, Florida, on July 13, 1947.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Friday, July 25, 1947, at 9:00 a. m. (local time), at the Melbourne Public School Auditorium, 500 New Haven Avenue, Melbourne, Florida.

Dated at Washington, D. C., July 21, 1947.

[SEAL] RUSSELL A. POTTER,
Presiding Officer.

[F. R. Doc. 47-6971; Filed, July 23, 1947; 8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-912]

INTERSTATE NATURAL GAS CO., INC.

ORDER FIXING DATE OF HEARING

Upon consideration of the application filed June 16, 1947, by Interstate Natural Gas Company, Inc., a Delaware corporation with its principal place of business in Monroe, Louisiana, for authority pursuant to section 7 of the Natural Gas Act, as amended, to abandon and remove a certain portion of its natural gas facilities as fully described in such application on file with the Commission and open to public inspection; and

It appearing to the Commission that:

The proceeding is a proper one for disposition under the provisions of Rule 32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure (effective September 11, 1946), applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on July 9, 1947 (12 F. R. 4521).

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure (effective September 11, 1946), a hearing be held on August 7, 1947, at 9:30 a. m. (e. d. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C., concerning the matters of fact and law asserted in the application filed in this proceeding; *Provided, however,* That if no request to be heard, or protest, or petition to intervene, raising in the judgment of the Commission an issue of substance, has been filed or allowed, the Commission may, after such hearing, forthwith dispose of the proceeding by order upon consideration of the application and the evidence filed therewith and incorporated in the record of the hearing, together with such additional evidence as may be available or as the Commission may require to be filed and incorporated in the record for its consideration.

(B) Interested State commissions may participate as provided by Rules 8 and 37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure (effective September 11, 1946).

Date of issuance: July 18, 1947.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 47-6935; Filed, July 23, 1947; 8:46 a. m.]

[Docket No. G-921]

UNITED GAS PIPE LINE CO.

NOTICE OF APPLICATION

JULY 16, 1947.

Notice is hereby given that on July 1, 1947, United Gas Pipe Line Company (Applicant), a Delaware corporation with principal place of business at Shreveport, Louisiana, and authorized to do business in the States of Alabama, Florida, Louisiana, Mississippi and Texas, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following facilities to serve the following towns and communities in the State of Mississippi:

(1) *Charleston.* Approximately 8.29 miles of 4-inch and 7.00 miles of 2-inch line and appurtenant facilities, beginning at the Tennessee Gas and Transmission Company's 24-inch line in the southeast part of Quitman County, Mississippi, and extending in a general southeasterly direction, thence in a general southerly direction through Quitman, Panola and Tallahatchie Counties to end near the west city limits of Charleston in Tallahatchie County, Mississippi.

(2) *Crowder.* Approximately 0.85 mile of 2-inch line and appurtenant facilities, beginning at the above-proposed 4-inch and 2-inch Charleston line approximately 1.7 miles from its point of beginning and extending in a general northeasterly direction to end near the west city limits of Crowder, all in Quitman County, Mississippi.

(3) *Drew.* Approximately 1.24 miles of 2-inch line and appurtenant facilities, beginning at the Tennessee Gas and Transmission Company's 24-inch line and extending in a general northwesterly direction to end near the east city limits of Drew, all in Sunflower County Mississippi.

(4) *Marks.* Approximately 6.36 miles of 4-inch and 3.38 miles of 2-inch line and appurtenant facilities, beginning at the Tennessee Gas and Transmission

Company's 24-inch line and extending in a general northerly direction to end near the south city limits of Marks, all in Quitman County, Mississippi.

(5) *Lambert.* Approximately 0.40 miles of 2-inch line and appurtenant facilities, beginning at the above-proposed 4-inch and 2-inch Marks line approximately 6.36 miles from its point of beginning and extending in a general westerly direction to end near the east city limits of Lambert, all in Quitman County, Mississippi.

(6) *Ruleville.* Approximately 1.69 miles of 2-inch line and appurtenant facilities, beginning at the Tennessee Gas and Transmission Company's 24-inch line and extending in a general southeasterly direction to end near the north city limits of Ruleville, all in Sunflower County, Mississippi.

(7) *Sardis, Como and Senatobia.* Approximately 7.17 miles of 4-inch and 7.70 miles of 2-inch line and appurtenant facilities, beginning at the Tennessee Gas and Transmission Company's 24-inch line in Panola County, Mississippi, and extending in a general northwesterly direction, passing near the east city limits of Sardis and Como in Panola County, Mississippi, and ending near the east city limits of Senatobia in Tate County, Mississippi.

(8) *Shaw.* Approximately 0.47 miles of 2-inch line and appurtenant facilities, beginning at the Tennessee Gas and Transmission Company's 24-inch line in Sunflower County and extending in a general northwesterly direction through Sunflower and Bolivar Counties to end near the south city limits of Shaw in Bolivar County, Mississippi.

(9) *Sumner-Tutwiler.* Approximately 5.61 miles of 2-inch line and appurtenant facilities, beginning at the Tennessee Gas and Transmission Company's 24-inch line and extending in a general northwesterly direction past the southwest corner of the Sumner city limits to end near the southeast corner of the city limits of Tutwiler, all in Tallahatchie County, Mississippi.

(10) *Water Valley.* Approximately 15.20 miles of 4-inch and 8.00 miles of 2-inch line and appurtenant facilities, beginning at the Tennessee Gas and Transmission Company's 24-inch line in Panola County, Mississippi, and extending in a general southeasterly direction through Panola, Lafayette and Yalobusha Counties to end near the north city limits of Water Valley in Yalobusha County, Mississippi.

(11) *Webb.* Approximately 0.99 mile of 2-inch line and appurtenant facilities, beginning at the Tennessee Gas and Transmission Company's 24-inch line and extending in a general southeasterly direction to end near the west city limits of Webb, all in Tallahatchie County, Mississippi.

Applicant states that it proposes to sell natural gas to United Gas Corporation at or near the corporate limits of the above-named towns for resale in such towns, which towns have not heretofore been served with natural gas. Applicant further proposes to sell to United Gas Corporation such volumes of natural gas as it may require for resale to rural customers along the route of Applicant's proposed pipe line facilities.

Applicant states that said facilities will be operated at the operating pressures prevailing in the 24-inch main pipe line of Tennessee Gas and Transmission Company at the points of connection, and will have an estimated maximum daily delivery capacity of approximately 11,000 Mcf. Applicant estimates the total maximum daily demand of the markets proposed to be served at 5,500 Mcf and the total minimum daily demand at 930 Mcf.

Applicant states that it is negotiating a contract with Tennessee Gas and Transmission Company for the gas supply for the proposed facilities.

Applicant recites that it proposes to enter into a contract with United Gas Corporation, under which Applicant will sell and deliver natural gas to that company at or near the corporate limits of the above-named towns at a price which will be 20 cents per Mcf more than the price which Applicant will pay to Tennessee Gas and Transmission Company for such gas.

Applicant states that there are no main line industrial consumers to be served from the proposed facilities at present, and there is no other natural gas company rendering service in the above-named counties in the State of Mississippi with the exception of the Counties of Bolivar, Panola and Sunflower, in which natural gas service is presently rendered to a limited extent by the following: Memphis Natural Gas Company in Bolivar and Sunflower Counties; Mississippi Power & Light Company in Sunflower County; and Tennessee Gas and Transmission Company in Panola County.

The estimated over-all capital cost of the proposed facilities is approximately $539,000. In order to finance its 1947 construction program, which includes the construction covered by this application, it is expected that in the third quarter of this year the Applicant will either (1) borrow from its parent, United Gas Corporation, and issue unsecured notes for the amount of such borrowings, or (2) sell bonds to its parent, United Gas Corporation, in accordance with Applicant's Mortgage and Deed of Trust dated September 25, 1944.

Any interested state commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of the Commission's rules of practice and procedure and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of United Gas Pipe Line Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of the rules of practice and procedure, and shall set out clearly and concisely the facts from which the nature of the petitioner's or protestant's alleged right or interest can be determined. Petitions for intervention shall state fully and completely the grounds of the proposed intervention and the contentions of the petitioner in the proceeding so as to advise the parties and the Commission as to the specific issues of fact or law to be raised or controverted, by admitting, denying, or otherwise answering, specifically and in detail, each material allegation of fact or law asserted in the proceeding.

[SEAL] J. H. GUTHRIE,
Acting Secretary.

[F. R. Doc. 47-6932; Filed, July 23, 1947; 8:46 a. m.]

[Docket No. G-922]

LOUISIANA-NEVADA TRANSIT CO.

NOTICE OF APPLICATION

JULY 18, 1947.

Notice is hereby given that on July 7, 1947, Louisiana-Nevada Transit Company (Applicant), a Nevada Corporation having its principal offices in Ada, Oklahoma, and Hope, Arkansas, and authorized to do business in the States of Louisiana and Arkansas, filed an application with the Federal Power Commission for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing Applicant to construct and operate the following described facilities, subject to the jurisdiction of the Commission:

Approximately 17.15 miles of 6-inch O. D. natural-gas transmission line, and appurtenant facilities, including measuring and regulating equipment, commencing at a point on the properties of Blackwell Oil & Gas Company and G. H. Vaughn, located in Haynesville Pool, Claiborne Parish, Louisiana, more particularly described in a contract executed by Applicant and said property owners, a copy of which contract is attached to the application and on file with the Commission, and extending in a westerly direction to a point of connection with Applicant's 8⅝-inch transmission line approximately two (2) miles south of Springhill, Louisiana, in Township 23 North, Range 11 West, Webster Parish, Louisiana.

Applicant states in its application that the proposed facilities are needed in order to connect an additional gas supply which will be available for the increasing demands made on Applicant's system. Applicant states in its application that, under an existing gas supply contract with the Cotton Valley Operators Committee, Applicant is limited to the purchase of ten million cubic feet of gas per day of 24 hours. Applicant further states that one of its industrial consumers, the Ideal Cement Company of Okay, Arkansas, is increasing its demand by two million cubic feet per day, and other industrial consumers are increasing their demands. Applicant estimates that by virtue of the gas purchase contract with Blackwell Oil & Gas Company, and G. H. Vaughn there is available to the Applicant a gas reserve of approximately 25 billion cubic feet.

Applicant estimates that the total over-all capital cost of the proposed facilities is $137,639.10, which will be financed from

funds on hand. Applicant does not contemplate making any changes in present rates for gas sold from existing facilities as a result of the proposed addition to its pipeline system.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of the Commission's rules of practice and procedure, and if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

The application of Louisiana-Nevada Transit Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of the rules of practice and procedure, and shall set out clearly and concisely the facts from which the nature of the petitioner's or protestant's alleged right or interest can be determined. Petitions for intervention shall state fully and completely the grounds of the proposed intervention and the contentions of the petitioner in the proceeding, so as to advise the parties and the Commission as to the specific issues of fact or law to be raised or controverted, by admitting, denying, or otherwise answering specifically and in detail, each material allegation of fact or law asserted in the proceeding.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 47-6934; Filed, July 23, 1947; 8:46 a. m.]

[Docket No. IT-6064]

SIERRA PACIFIC POWER CO.

NOTICE OF ORDER AUTHORIZING AND APPROVING ISSUANCE OF PROMISSORY NOTES

JULY 18, 1947.

Notice is hereby given that, on July 18, 1947, the Federal Power Commission issued its order entered July 18, 1947, authorizing and approving issuance of promissory notes in the above-designated matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 47-6933; Filed, July 23, 1947; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[No. 29791]

INTRASTATE COAL RATES TO ALTON AND EAST ST. LOUIS

NOTICE OF HEARING

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 9th day of July A. D. 1947.

It appearing, that a petition has been filed on behalf of The Alton Railroad Company (Henry A. Gardner, Trustee), and other common carriers by railroad operating in the State of Illinois averring that in Intrastate Coal Rates to East St. Louis, 142 I. C. C. 95 and 161 I. C. C. 371, the Commission prescribed reasonable rates for the transportation of bituminous coal, in carloads, from mines in the Belleville and southern Illinois groups to the St. Louis switching district in Missouri, and found that the intrastate rates from all mines in the inner portion of the Belleville group, the Du Quoin group, and the southern Illinois group, respectively, and from all mines on the Chicago & Illinois Midland Railway to the East St. Louis switching district in Illinois, prescribed by order of the Illinois Commerce Commission entered February 8, 1926, were, and for the future will be, unduly preferential of that district and shippers located therein and unduly prejudicial to the St. Louis switching district and shippers located therein, and unjustly discriminatory against interstate commerce, to the extent that they are lower by more than 25 cents per net ton, than the rates on like traffic from the same mines to the St. Louis switching district therein found reasonable; that the Illinois Commerce Commission has failed and refused to authorize or permit increases in the intrastate rates on bituminous coal from mines in Illinois to stations in the Alton-East St. Louis-Wood River area in Illinois in amounts corresponding to the general increases authorized by the Interstate Commerce Commission in the several proceedings referred to in said petition, in the interstate rates and charges on bituminous coal throughout the United States, including the interstate rates thereon from mines in Illinois, and western Kentucky to the St. Louis, Mo., switching district, and from mines in western Kentucky to destinations in Illinois, including those in the Alton-East St. Louis-Wood River area, with the result that the intrastate rates to the East St. Louis switching district in Illinois are now lower by more than 25 cents per net ton than the present rates on like traffic from the same mines to the St. Louis switching district in Missouri;

It further appearing, that said petitioners allege that the rates and charges which they are required by authority of the State of Illinois to maintain for the intrastate transportation of bituminous coal, in carloads, between points in Illinois cause and result in undue and unreasonable advantage, preference, and prejudice as between persons and localities in intrastate commerce on the one hand, and interstate commerce on the other hand, and undue, unreasonable, and unjust discrimination against interstate commerce;

And it further appearing, that the petition brings in issue rates and charges made or imposed by authority of the State of Illinois:

It is ordered, That in response to the said petition and investigation be, and it is hereby, instituted, and that a hearing be held therein for the purpose of receiving evidence from the respondents hereinafter designated and any other persons interested to determine whether the rates and charges of the common carriers by railroad, or any of them, operating in the State of Illinois, for the transportation of bituminous coal, in carloads, moving in intrastate commerce, from mines in Illinois to Illinois stations in the Alton-East St. Louis Wood River area, required by authority of the State of Illinois to be maintained, cause or will cause any undue or unreasonable advantage, preference, or prejudice as between persons or localities in intrastate commerce, on the one hand, and interstate or foreign commerce, on the other hand, or any undue, unreasonable, or unjust discrimination against interstate or foreign commerce; and to determine what rates and charges, if any, or what maximum or minimum, or maximum and minimum rates and charges, shall be prescribed thereafter to be charged by common carriers by railroad operating within the State of Illinois to remove the unlawful advantage, preference, prejudice, or discrimination, if any, as may be found to exist;

It is further ordered, That all common carriers by railroad operating within the State of Illinois subject to the jurisdiction of this Commission be, and they are hereby, made respondents to this proceeding; that a copy of this order be served upon each of said respondents; and that the State of Illinois be notified of this proceeding by sending copies of this order and of said petition by registered mail to the Governor of said State and to the Illinois Commerce Commission at 160 No. La Salle St., Chicago, Ill.;

It is further ordered, That notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission, at Washington, D. C. and filing a copy thereof with the Director, Division of Federal Register, Washington, D. C.

And it is further ordered, That this proceeding be assigned for hearing at such times and places as the Commission may hereafter direct.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 47-6955; Filed, July 23, 1947; 8:48 a. m.]

[No. 29796]

INCREASED COACH FARES; SOUTHERN RAILROADS

NOTICE OF HEARING

JULY 21, 1947.

By petition dated July 15, 1947, the common carriers by railroad operating in the South, listed in the appendix hereto (including that part of the line of the Southern Railway Company east and south of and including St. Louis, Mo.), request this Commission to authorize petitioners to increase between stations on their lines their interstate basic one-

way passenger fares in coaches by 13.63 percent or to approximately 2.5 cents per mile, fractions of less than 0.5 cent to be dropped and fractions of 0.5 cent or greater to be increased to the next whole cent, with a minimum one-way fare of 15 cents, and to increase such fares between stations on their lines and stations on connecting lines sufficiently to reflect the proposed increases on their lines.

Petitioners state that if authority is granted to increase the basic one-way fares as sought in the petition, it is the intention of petitioners to increase their round-trip fares in coaches to the following basis: 180 percent of the one-way fares (approximately 2.25 cents per mile in each direction) adding when necessary to make the resulting fare end in "0" or "5."

The Commission is further asked to modify its order of February 28, 1936, in No. 26550, *Passenger Fares and Surcharges*, 214 I. C. C. 174, as subsequently modified, sufficiently to permit the establishment and maintenance of the proposed increased fares on interstate traffic. Petitioner Southern Railway Company further asks the Commission to modify its order of November 13, 1920, in No. 11703, *Intrastate Rates Within Illinois*, 59 I. C. C. 350, as subsequently modified, sufficiently to permit the establishment and maintenance of like increased intrastate fares within Illinois on that part of the line of said petitioner above referred to.

The Commission is further asked to grant such fourth-section relief as may be necessary to permit the establishment and maintenance of such increased fares, and to permit such establishment on five days' notice, without suspension, by simple forms of tariff publication.

The petition above described has been docketed as No. 29796, Increased Coach Fares—Southern Railroads, and is assigned for public hearing before Commissioner John L. Rogers and Examiner Burton Fuller on August 26, 1947, 9:30 o'clock a. m., United States Standard time (or 9:30 o'clock a. m. daylight saving time, if that time is observed) at Atlanta Biltmore Hotel, Atlanta, Ga.

A copy of this notice has, on the date hereof, been sent by regular mail to the said petitioners, the Governors and the rate regulatory bodies of the States traversed by petitioners, and at the same time copies have also been posted in the office of the Secretary of the Commission at Washington, D. C., and filed with the Director, Division of Federal Register, Washington, D. C.

By the Commission.

[SEAL] W. P. BARTEL, *Secretary.*

APPENDIX

LIST OF PETITIONERS

Aberdeen & Rockfish Railroad Co.
The Alabama Great Southern Railroad Co.
Alabama, Tennessee & Northern Railroad Co.
Atlanta & West Point Railroad Co.
Atlantic Coast Line Railroad Co.
Blue Ridge Railway Co.
Carolina & Northwestern Railway Co.
Carolina, Clinchfield & Ohio Railway; Carolina, Clinchfield & Ohio Railway of South Carolina. (Lessees: Atlantic Coast Line Railroad Co.; Louisville & Nashville Railroad Co.)
Charleston & Western Carolina Railway Co.
The Cincinnati, New Orleans & Texas Pacific Railway Co.
Columbia, Newberry & Laurens Railroad Co.
Danville & Western Railway Co.
Fort Myers Southern Railroad Co.
Frankfort & Cincinnati Railroad Co.
Georgia & Florida Railroad.
(W. V. Griffin, H. W. Purvis, and Victor Markwalter, receivers)
Georgia Rail Road & Banking Co.
(Operated as the Georgia Railroad by lessees: Atlantic Coast Line Railroad Co.; Louisville & Nashville Railroad Co.)
Georgia Southern & Florida Railway Co.
New Orleans & Northeastern Railroad Co.
Norfolk Southern Railway Co.
Richmond, Fredericksburg & Potomac Railroad Co.
Southern Railway Co.
Tampa Southern Railroad Co.
The Western Railway of Alabama
Winston-Salem Southbound Railway Co.

[F. R. Doc. 47-6956; Filed, July 23, 1947; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-992]

CONSOLIDATED EDISON CO. OF NEW YORK, INC.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of July A. D. 1947.

The Los Angeles Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, No Par Value, of Consolidated Edison Company of New York, Inc., a security listed and registered on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Phfladelphia, Pennsylvania.

Notice is hereby given that, upon request of any interested person received prior to August 18, 1947, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Philadelphia, Pennsylvania. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-6938; Filed, July 23, 1947; 8:47 a. m.]

[File No. 54-81]

MIDDLE WEST CORP. ET AL.

ORDER DISMISSING PROCEEDINGS AND RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 16th day of July A. D. 1947.

In the matter of The Middle West Corp., Central and South West Utilities Co. and American Public Service Co.; File No. 54-81.

The Commission by supplemental order entered herein on April 15, 1947, having reserved jurisdiction with respect to certain issues raised by an application-declaration, as amended, filed by The Middle West Corporation ("Middle West") and with respect to a motion filed on behalf of certain stockholders of Central and South West Corporation ("Central") and Middle West; and

Central and Middle West having jointly filed a motion to dismiss said motion on behalf of said stockholders; and

The Commission having held hearings and heard oral argument thereon, and the parties having agreed to the withdrawal of said motion on behalf of said stockholders, and to termination of the proceedings on the aforesaid motions; and

It appearing to the Commission that the aforesaid motions should now be deemed withdrawn and the proceedings thereon dismissed, that the issues as to which jurisdiction was heretofore reserved are now moot, and that jurisdiction, with respect thereto should be released;

It is ordered, That the motions filed on behalf of the said stockholders and on behalf of Middle West and Central, be, and they hereby are, deemed withdrawn and that the proceedings thereon be, and they hereby are, dismissed.

It is further ordered, That the jurisdiction reserved in our supplemental order herein dated April 15, 1947, be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-6939; Filed, July 23, 1947; 8:47 a. m.]

[File No. 70-1545]

MARYVILLE ELECTRIC LIGHT AND POWER CO. AND CONTINENTAL GAS & ELECTRIC CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 18th day of July A. D. 1947.

Continental Gas & Electric Corporation ("Continental"), a registered holding company, and its public utility subsidiary, Maryville Electric Light and Power Company ("Maryville"), having filed a joint application-declaration and an amendment thereto pursuant to sections 6 (b), 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-43 and U-50 (a) (3) promulgated thereunder with respect to the following transactions:

Maryville proposes to issue and sell to its sole stockholder, Continental, and Continental proposes to acquire, at the par value thereof, 13,712 shares of common stock of the par value of $100 per share. To make possible the issuance and sale of said 13,712 shares of common stock, Maryville proposes to amend its Articles of Incorporation to increase the number of its authorized common shares from 5,000 to 20,000. Maryville also proposes to pay on its open account indebtedness to Continental the sum of $88.80. Continental proposes to pay for said 13,712 shares of common stock by surrendering for cancellation a demand note of Maryville in the principal amount of $328,719.84, by acknowledging full payment of Maryville's open account indebtedness to Continental in the amount of $542,480.16, and by paying $500,000 cash to Maryville, an aggregate consideration of $1,371,200. It is stated that the cash proceeds from the sale of said common stock will be used to pay the cost of construction of additional electric facilities needed in the operation of Maryville's business; and

The application-declaration having been filed June 9, 1947, the amendment thereto having been filed July 14, 1947, and notice of the filing having been given in the form and manner prescribed by Rule U-23 promulgated under the act, and the Commission not having received a request for a hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Applicants-declarants having requested that the Commission's order granting the application and permitting the declaration to become effective become effective forthwith; and

The Commission finding that Maryville is entitled to an exemption from the provisions of sections 6 (a) and 7 of the act pursuant to the provisions of section 6 (b) thereof, it appearing that the issuance and sale of said stock are solely for the purpose of financing the business of Maryville and that the Public Service Commission of Missouri, the state commission of the state in which Maryville was organized and is doing business, has expressly authorized applicants-declarants to consummate the proposed transactions; and

The Commission further finding that the proposed transactions satisfy the applicable provisions of the act and the rules and regulations promulgated thereunder, that no adverse findings are necessary, and that the proposed issuance and sale of common stock is exempt from the competitive bidding requirements of Rule U-50 by virtue of the provisions of paragraph (a) (3) thereof; and the Commission deeming it appropriate to grant said application and permit said declaration to become effective and to grant the request of applicants-declarants that the order become effective forthwith;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the requirements of Rule U-24, that the aforesaid application-declaration be, and it hereby is, granted and permitted to become effective forthwith; but upon the express condition, however, that nothing herein shall be construed as determining, or in any manner affecting the power and jurisdiction of the Commission to determine, the ultimate retainability by Continental of its interest in Maryville or what action should be taken by Continental to effectuate compliance with section 11 (b) (1) of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-6937; Filed, July 23, 1947; 8:47 a. m.]

[File No. 70-1548]

MISSISSIPPI POWER CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of July 1947.

Mississippi Power Company ("Mississippi"), a public utility subsidiary of The Commonwealth & Southern Corporation, a registered holding company, having filed an application-declaration and amendments thereto, pursuant to sections 6 (a), 7 and 12 (c) of the Public Utility Holding Company Act of 1935 ("act") and Rules U-42 and U-50 promulgated thereunder, relating to the transactions summarized below:

Mississippi proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $2,500,000 principal amount of additional First Mortgage Bonds, __% Series, due August 1, 1977. The bonds are to be issued under and secured by Mississippi's present mortgage dated September 1, 1941, as supplemented by an indenture dated September 1, 1946 and one to be dated August 1, 1947. The interest rate on said bonds (to be in multiples of ⅛ of 1% but not greater than 3¼%) and the price to be received by Mississippi (to be not less than 100% nor more than 102¾% of the principal amount of said bonds) are to be determined by competitive bidding.

Mississippi also proposes to issue 20,099 shares of new Preferred Stock, par value $100 per share, and to invite proposals pursuant to the competitive bidding requirements of said Rule U-50 for services in obtaining exchange of shares of its outstanding $6 Preferred Stock for shares of new Preferred Stock and for the purchase of such of the 20,099 shares of new Preferred Stock as are not required to effect exchanges. If such proposal is accepted, Mississippi will then offer for a period of twelve days to the holders of the 20,099 shares of $6 Preferred Stock outstanding the privilege of exchanging their shares for shares of new Preferred Stock on a share for share basis, plus an amount in cash, with respect to shares exchanged, equal to the difference between the price per share specified in the successful proposal and the redemption price of $110 per share of the $6 Preferred Stock, plus a cash dividend adjustment which will give each stockholder who exchanges an amount equal to the dividend on the $6 Preferred Stock from the last regular quarterly dividend date up to the date of redemption, less the amount of the dividend to accrue on the new Preferred Stock to that date. The price to the company per share of new Preferred Stock (to be not less than $100 nor more than $102.75, after deducting the aggregate amount of compensation per share to be paid to the successful bidders), the annual dividend rate (to be a multiple of 4¢ but not more than $4.60), and the aggregate amount of compensation to be paid to the successful bidders for their respective agreements to endeavor to obtain exchanges of $6 Preferred Stock for new Preferred Stock and to purchase the shares of new Preferred Stock not required to effect exchanges, will be determined by competitive bidding. Any shares of $6 Preferred Stock not exchanged will be redeemed.

It is further proposed to include in the supplemental indenture securing the new bonds, among other things, a covenant providing in substance that so long as any bonds of the 1971 Series or of the 1977 Series shall be outstanding, Mississippi will not declare or pay any dividends (other than dividends payable solely in its common stock) or make any distribution, by purchase of shares or otherwise, upon any shares of its common stock, except out of net income earned subsequent to December 31, 1941, and available for distribution of dividends, and unless, upon such declaration, payment or other distribution, there shall remain in the earned surplus account earned subsequent to December 31, 1941 an amount of $241,188 (representing two years' dividend requirements on the presently outstanding Preferred Stock) plus an amount equivalent to the amount by which the aggregate of the charges to income since December 31, 1941 for repairs, maintennace and provision for depreciation shall have been less than 16% of the gross operating revenues of Mississippi subsequent to December 31, 1941, after deducting from such gross operating revenues the amount spent subsequent to December 31, 1941 for electric energy, gas or steam purchased by it for resale.

In addition to such dividend restriction in the indenture Mississippi proposes to amend its by-laws to provide in substance, among other things, that not more than 75% of the net income available for the payment of dividends on the common stock may be paid out as dividends thereon when the ratio of common stock equity to total capitalization and surplus is 20% or more but less than 25%, and not more than 50% of such net income may be paid out as dividends when the ratio of common stock equity to total capitalization and surplus falls below 20%.

Mississippi also proposes to transfer the balance of capital surplus, amounting to $1,190,927, to common capital account.

Said application-declaration having been filed on June 12, 1947 and amendments thereto having been filed on June 27, 1947 and July 14, 1947, and notice of such filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received

a request for hearing with respect to said application-declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Mississippi having requested that the Commission's order become effective forthwith; and

Mississippi, in view of the aforementioned proposed dividend restriction in the supplemental indenture, having requested that the condition in the Commission's order dated September 23, 1941, which restricts the payment of dividends on Mississippi's common stock substantially in the form of the proposed restriction shall cease to be effective upon the taking effect of the proposed dividend restriction in the supplemental indenture and, Mississippi, in view of the aforementioned proposed dividend restriction in the by-laws, having requested further that the condition in the Commission's order dated December 28, 1944, which provides in substance that dividends on Mississippi's common stock should not exceed 75% of its net income subsequent to December 31, 1944 if the common equity should be less than 25% of total capitalization and surplus shall cease to be effective upon the taking effect of the proposed dividend restriction in the by-laws; and the Commission deeming it appropriate to grant such requests; and

The Commission finding with respect to said application-declaration, as amended, that the requirements of the applicable provisions of the act and rules promulgated thereunder are satisfied, that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration, as amended, be granted and permitted to become effective and that the company's request that the order become effective forthwith be granted:

It is hereby ordered, That, pursuant to Rule U-23, said application-declaration, as amended, be, and the same is hereby granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and subject to the further condition that the proposed sale of new bonds, issuance of new Preferred Stock, and exchange or redemption of $6 Preferred Stock shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record herein and a further order shall have been entered with respect thereto, which order may contain such further terms and conditions as may then be deemed appropriate, for which purpose jurisdiction is hereby reserved.

It is further ordered, That the condition is the Commission's order dated September 23, 1941 which restricts the payment of dividends on Mississippi's common stock and the condition in the Commission's order dated December 28, 1944 which also restricts the payment of dividends on Mississippi's common stock shall cease to be effective upon the taking effect of the proposed dividend restrictions in the aforementioned supplemental indenture and by-laws of Mississippi.

It is further ordered, That jurisdiction be, and the same hereby is, reserved, with respect to the fees and expenses in connection with the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-6940; Filed, July 23, 1947; 8:47 a. m.]

[File No. 70-1551]

FLORIDA POWER & LIGHT CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of July A. D. 1947.

Florida Power & Light Company ("Florida"), an electric and gas utility subsidiary of American Power & Light Company ("American"), a registered holding company subsidiary of Electric Bond and Share Company ("Bond and Share"), also a registered holding company, having filed an application-declaration and amendments thereto under the Public Utility Holding Company Act of 1935, particularly Sections 6 (a), 7, and 12 (c) thereof and Rules U-42 and U-50, regarding the issue and sale in accordance with the competitive bidding provisions of said Rule U-50 of $10,000,000 of First Mortgage Bonds --% Series due 1977, $10,000,000 principal amount --% Sinking Fund Debentures due 1972 and 150,000 shares of --% Cumulative Preferred Stock of the par value of $100 per share. The proceeds from the sale of said securities are to be applied as follows: (a) To redeem $14,210,000 principal amount of Florida's 4⅛% sinking fund debentures due 1979 at the current redemption price of 104⅝% plus accrued interest; (b) to prepay its outstanding 2⅜% and 2¾% serial notes in the aggregate principal amount of $3,250,000 plus accrued interest; (c) to prepay its promissory notes held by American in the aggregate principal amount of $4,250,000 plus accrued interest and (d) to provide funds for additional necessary facilities to Florida's gas and electric systems.

A public hearing having been held on the said application-declaration, as amended, after appropriate notice, and the Commission having examined the record and having made and filed its Findings and Opinion herein; and

The Commission having, by its order of December 28, 1943, directed Florida to appropriate annually out of earned surplus to a contingency reserve at least $700,000, said order stating:

(4) *It is further ordered*, That pending final determination of the amount and disposition to be made of Account 100.5 items presently in the plant account of Florida, Florida shall annually beginning with the calendar year 1944, appropriate out of earned surplus to a contingency reserve, at least $700,000, such act of appropriation to be without prejudice, however, to respondents' right to contest the validity of any definitive order with respect to such items as may ultimately be issued;

and Florida having requested that the above-quoted paragraph of our order of December 28, 1943 be modified to provide that appropriations to contingency reserve therein ordered be made at the monthly rate of 1/12 of $700,000.

It is ordered, That said application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith subject to the terms and conditions contained in Rule U-24 and subject to the following additional conditions:

(1) That the proposed sales of securities by Florida shall not be consummated until the results of competitive bidding have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order shall contain such further terms and conditions, if any, as may be then deemed appropriate, jurisdiction being reserved for that purpose;

(2) That jurisdiction be, and it hereby is, reserved over the payment of all legal fees incurred or to be incurred in connection with the proposed transactions.

It is further ordered, That the provision of our order of December 28, 1943 with respect to the annual appropriation of $700,000 from earned surplus to a contingency reserve be, and hereby is, modified to permit Florida to credit said contingency reserve each month by the amount of 1/12th of $700,000, on condition that a corresponding charge be made to Account 537—Miscellaneous Amortization—and that in all other respects said order of December 28, 1943 be, and hereby is, reaffirmed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-6936; Filed, July 23, 1947; 8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 9329]

ANNA KONRICH ET AL.

In re: Bank accounts and mortgage participations owned by Anna Konrich, Friedrich Konrich, Marie Konrich, and Helene Konrich, also known as Leni Konrich. F-28-3233-A-1, F-28-3233-E-1, F-28-3234-A-1, F-28-3234-E-1, F-28-3235-A-1, F-28-3235-E-1, F-28-3236-A-1, F-28-3236-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Konrich, Friedrich Konrich, Marie Konrich, and Helene Konrich, also known as Leni Konrich, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Girard Trust Company, Broad & Chestnut Streets, Philadelphia 2, Pennsylvania, arising out of a checking account, entitled Walter S. Hare, Atty. for Anna Konrich, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Anna Konrich, one of the aforesaid nationals of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation of Girard Trust Company, Broad & Chestnut Streets, Philadelphia 2, Pennsylvania, arising out of a checking account, entitled Walter S. Hare, Atty. for Marie Konrich, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Marie Konrich, one of the aforesaid nationals of a designated enemy country (Germany);

4. That the property described as follows: That certain debt or other obligation of Girard Trust Company, Broad & Chestnut Streets, Philadelphia 2, Pennsylvania, arising out of a checking account, entitled Walter S. Hare, Atty. for Helene Konrich, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Helene Konrich, also known as Leni Konrich, one of the aforesaid nationals of a designated enemy country (Germany);

5. That the property described as follows: That certain debt or other obligation of Girard Trust Company, Broad and Chestnut Streets, Philadelphia 2, Pennsylvania, arising out of a checking account, entitled Walter S. Hare, Atty. for Friedrich Konrich, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Friedrich Konrich, one of the aforesaid nationals of a designated enemy country (Germany);

6. That the property described as follows:

a. All those debts or other obligations owing to Anna Konrich, Friedrich Konrich, Marie Konrich and Helene Konrich, also known as Leni Konrich, by Girard Trust Company, including particularly but not limited to a four-fifths interest in the sum of money on deposit with Girard Trust Company, Broad and Chestnut Street, Philadelphia 2, Pennsylvania, in an account, Account Number 28 62-2, entiled Residuary Legatees of Mary Palmer Reese, deceased, and any and all rights to demand, enforce and collect the same, and

b. All right, title and interest of Anna Konrich, Friedrich Konrich, Marie Konrich and Helene Konrich, also known as Leni Konrich, in certain mortgage participations, represented on the books of the Girard Trust Company, Philadelphia, Pennsylvania, as covering property on Nicetown and Harrowgate Lanes, and 719 Sansom Street, said mortgage participations being administered by the aforesaid Girard Trust Company, Trustee for Sundry Trusts,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

7. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 8, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-6957; Filed, July 23, 1947; 8:48 a. m.]

[Vesting Order 9332]

NARIMITSU MATSUDAIRA

In re: Stock, bond and bank account owned by Mr. Narimitsu Matsudaira, also known as N. Matsudaira. F-39-2027-A-1, F-39-2027-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mr. Narimitsu Matsudaira, also known as N. Matsudaira, whose last known address is Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Mr. Narimitsu Matsudaira, also known as N. Matsudaira, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Checking Account, entitled Mr. Narimitsu Matsudaira, and any and all rights to demand, enforce and collect the same,

b. Four (4) General Water Works and Electric Corp., 6% Convertible Debentures, Series A, of $3,000.00 aggregate face value, bearing the numbers M1067 and M1068, each of $1,000.00 face value and numbers D 625 and 400, each of $500.00 face value, in bearer form, presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, together with any and all rights thereunder and thereto, including particularly the rights under a Readjustment Plan effective December 1932,

c. Six Hundred Twenty (620) shares of twenty Kronen par value capital stock of Kreuger & Toll Co., evidenced by American certificates numbered and in the amounts as set forth below:

Certificate No.:	*Number of shares*
NY 134971	100
NY 134972	100
NY 134973	100
NY 134974	100
NY 134975	100
70298	100
NY/O 64083	20

registered in the name of Hurley & Co., 55 Wall Street, New York, New York, and presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, together with all declared and unpaid dividends thereon, and

d. Fifty Seven (57) shares of one (1) pound par value ordinary "A" capital stock of Lautaro Nitrate Co., Ltd., 120 Broadway, New York, New York, evidenced by certificate number 7443, registered in the name of Hurley & Co., 55 Wall Street, New York, New York, and presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in

section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 8, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-6958; Filed, July 23, 1947; 8:49 a. m.]

[Vesting Order 9358]

ROSE SEHNERT

In re: Estate of Rose Sehnert, a/k/a Rose Schnert, deceased. File No. D-28-9980; E. T. sec. 14166.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Christian Raissle (Raisle), Gottlob Raissle a/k/a Gottlieb Raisle, Rosine Gartner a/k/a Roesel Raisle, Katharine Fix a/k/a Katherine Raisle (Raissle) (daughter of Katherine Raisle), Gottlieb Kubler, Marie (Mary) Kubler, Kathrine Kubler, Christine Haist, a/k/a Christine Kubler and Johann (Johannes) Kubler, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the sum of $22,706.22 was paid to the Attorney General of the United States by Hale B. Blair, Administrator of the Estate of Rose Sehnert a/k/a Rose Schnert, deceased;

3. That the said sum of $22,706.22 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Attorney General of the United States by acceptance thereof on May 28, 1947, pursuant to the Training with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-6960; Filed, July 23, 1947; 8:49 a. m.]

[Vesting Order 9359]

MARY WASENSZKY

In re: Estate of Mary Wasenszky, deceased. D-34-727; E. T. sec. 9621.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. John (Janosne) Wasenszky nee Zsibai, whose last known address is Hungary, is a resident of Hungary and a national of a designated enemy country (Hungary);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Mary Wasenszky, deceased, is property payable or deliverable to, or claimed by the aforesaid national of a designated enemy country (Hungary);

3. That such property is in the process of administration by Merwyn G. Leatherman, as administrator, acting under the judicial supervision of the Probate Court of Lucas County, Ohio;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-6959; Filed, July 23, 1947; 8:49 a. m.]

[Vesting Order 9363]

ASAKO AKINAKA

In re: Bonds owned by Asako Akinaka. F-39-2949-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Asako Akinaka whose last known address is Kyoto, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Two Imperial Japanese Government, 5½% Bearer Gold Bonds, External Loan of 1930, due 1965, of $1000 face value, bearing the numbers 2472 and 2473, with coupons dated November, 1941, ASCA, presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 10, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-6961; Filed, July 23, 1947; 8:49 a. m.]

[Vesting Order 9371]

JURO FUJIKAWA

In re: Stock, bonds, bank accounts and a certificate of deposit owned by Juro Fujikawa, also known as Jiro Fujikawa. D-39-658, F-39-1504-A-1, D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Juro Fujikawa, also known as Jiro Fujikawa, whose last known address is Hiroshima, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Juro Fujikawa, also known as Jiro Fujikawa, by Bishop National Bank of Hawaii, Honolulu, T. H., in the amount of $721.21, payable July 10, 1947, and any and all accruals thereto, evidenced by certificate of deposit number 3902, issued by said bank, and presently in the custody of Fujii Junichi Shoten, Limited, 120 North Hotel Street, Honolulu, T. H., and any and all rights to demand, enforce and collect the aforementioned debt or other obligation and any and all rights in, to and under the aforementioned certificate of deposit,

b. 15 shares of $5 par value common capital stock of Sunrise Soda Water Works Company, Limited, 967 Robello Lane, Honolulu, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by certificates number 622 and 670, and registered in the name of Juro Fujikawa, together with all declared and unpaid dividends thereon.

c. All those debts or other obligations owing to Juro Fujikawa, also known as Jiro Fujiwaka, by Sunrise Soda Water Works Company, Limited, 967 Robello Lane, Honolulu, T. H., including particularly but not limited to a portion of the sum of money on deposit with Bishop National Bank of Hawaii, Honolulu, T. H., in the following accounts:

Type and Number of Account and Name of Account

(i) Time certificate of deposit 3615; Sunrise Soda Water Works Company, Limited, Non-Resident Alien Dividend Account.

(ii) Time certificate of deposit 3469; Sunrise Soda Water Works Company, Limited, Non-Resident Dividend Account.

(iii) Time certificate of deposit 3571; Sunrise Soda Water Works Company, Limited, Non-Resident Stockholders Dividend Account.

and any and all rights to demand, enforce and collect the same,

d. Ten Tokyo Electric Light Company, Limited, 6% Bearer Bonds, of $1,000 face value, due 1953 and presently in the custody of the United States Treasury Department, Honolulu, T. H., evidenced by safekeeping receipt No. 1002 and No. 1005, both dated March 15, 1943 issued to Fujii Junichi Shoten, Limited, 120 North Hotel Street, Honolulu, T. H., together with any and all rights thereunder and thereto, and

e. Twenty Shinyetsu Electric Power Company, Limited, 6½% Bearer Bonds, of $1,000 face value, due 1952, presently in the custody of the United States Treasury Department, Honolulu, T. H., evidenced by safekeeping receipt No. 1002 and No. 1005, both dated March 15, 1943 issued to Fujii Junichi Shoten, 120 North Hotel Street, Hononlulu, T. H., together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 10, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-6962; Filed, July 23, 1947; 8:49 a. m.]

[Vesting Order 9373]

N. OMORI SHOTEN

In re: Debt owing to N. Omori Shoten. File No. F-39-1250-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That N. Omori Shoten, the last known address of which is Osaka, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan);

2. That the property described as follows: All those debts or contractual obligations owing to N. Omori Shoten, by J. Kahn & Co., 1203 Cotton Exchange Building, Dallas, Texas, including particularly but not limited to the amount of $50,677.82, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 10, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-6963; Filed, July 23, 1947; 8:49 a. m.]

[Vesting Order 8646, Amdt.]

FREDERICK TROGER

In re: Estate of Frederick Troger, deceased. File D-28-3593; E. T. sec. 5837.

Vesting Order Number 8646, dated April 4, 1947, is hereby amended as follows and not otherwise: By deleting "That Johann Troger, Marie Troger, Henry Troger, (Nephew,) George Troger, and Wilhelmina Troger, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);" and substituting therefor "That Johann Troger, Frederick Burke, also known as Frederick Bauck, Marie Troger, Henry Troger, (Nephew,) George Troger and Wilhelmina Troger, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);";

All other provisions of said Vesting Order Number 8646 and all action taken on behalf of the Attorney General in reliance thereon, pursuant thereto and under authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on July 14, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-6967; Filed, July 23, 1947; 8:50 a. m.]

[Vesting Order 9352]

ARNOLD MATRAY

In re: Estate of Arnold Matray also known as Arnold Matrai, deceased. File D-34-872; E. T. sec. 14476.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Execu-

tive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Helen Weisz Krausz and Etel Weisz, whose last known address is Hungary, are residents of Hungary and nationals of a designated enemy country (Hungary);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of Arnold Matray also known as Arnold Matrai, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Hungary);

3. That such property is in the process of administration by John T. Dempsey, as Administrator, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Hungary).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-6907; Filed, July 22, 1947; 8:49 a. m.]

[Vesting Order 9353]

HENRY MEYER

In re: Estate of Henry Meyer, deceased. File No. D-28-11122; E. T. sec. 15547.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gustave Koepke, Anna Koepke and Johann Hinrich Meyer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Henry Meyer, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Richard Koepke, as administrator, acting under the judicial supervision of the Surrogate's Court of Queens County, New York;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-6908; Filed, July 22, 1947; 8:49 a. m.]

[Vesting Order 9356]

ANNA SCHLESINGER

In re: Estate of Anna Schlesinger, deceased. File No. D-28-10412; E. T. sec. 14839.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Eleonore von Crailsheim, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Anna Schlesinger, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by the President and Directors of the Manhattan Company, as executors, acting under the judicial supervision of the Surrogate's Court of Queens County, New York;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-6909; Filed, July 22, 1947; 8:49 a. m.]

[Vesting Order 9360]

HENRY CLAUSEN

In re: Estate of Henry Clausen, deceased. File D-28-11572; E. T. sec. 15789.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elsie Fleck, Dora Jurgensen, Max Clausen, Helen Setzkorn, Willy Clausen and Anna Tams, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind of character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Henry Clausen, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Hans J. Clausen, as administrator, acting under the judicial supervision of the Superior Court of the State of Washington, in and for the County of Spokane;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 10, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-6910; Filed, July 22, 1947; 8:49 a. m.]

[Vesting Order 9361]

HUGO ECKART

In re: Estate of Hugo Eckart, deceased. File D-28-11644; E. T. sec. 15857.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Johanna Blasing and Otto Eckart, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of Hugo Eckart, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Anne Hodge Reese, as administratrix, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 10, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-6911; Filed, July 22, 1947; 8:50 a. m.]

[Vesting Order 9362]

HUGO M. FRIEDRICHSEN

In re: Estate of Hugo M. Friedrichsen, deceased. File D-28-10686; E. T. 15032.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dora Badewitz, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the Estate of Hugo M. Friedrichsen, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Earl V. Cline, as executor, acting under the judicial supervision of the District Court of the Thirteenth Judicial District of the State of Montana, in and for the County of Yellowstone;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 10, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-6912; Filed, July 22, 1947; 8:50 a. m.]

[Vesting Order 9367]

DEUTSCHE BANK

In re: Debt owing to Deutsche Bank. F-28-852-G-2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Deutsche Bank, the last known address of which is Berlin W 8, Germany, is a corporation, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Deutsche Bank, by The Chase National Bank of the City of New York, 18 Pine Street, New York 15, New York, as Trustee, (Successor to The Equitable Trust Company of New York) including particularly but not limited to the amount of $63,570.33, as of June 2, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 10, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-6914; Filed, July 22, 1947; 8:50 a. m.]